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Town of Lamoine
Construction Application

This section to be completed by Code Enforcement Officer

Map 16 Lot 48 Zone RA-2 Shoreland Zone _____ Flood Zone _____

Fee Calculation 278.00 Date Received 6.30.16 Permit Number 16.36

☒ **Building Permit** ☐ **Shoreland Permit** ☐ **Floodplain Hazard Permit**

The undersigned applies for a construction permit for the uses indicated below. Said permit is to be considered on the basis of the information contained within this application. Any Federal, State or Local statutes, or regulations shall be applicable and their compliance necessary to obtain a permit. The permit will be issued to the owner of record or properly designated agent. Incomplete applications will NOT be processed.

Section I – Owner, Applicant & Contractor Information

Owner		Applicant	Contractor
Name	Kathryn R True	same	TBD
Mailing Address	4606 Windsor Drive		
City, St. Zip	Flowery Branch, GA 30542		
Home Phone	603-714-5668		
Work Phone			
Cell Phone	603-759-3764		
Email	kathrynrttrue@gmail.com		

Section II – Lot Information

Existing Property Use Residential Lot Size (acres or square feet) 1.81 +/- Acres

Physical Address of property (road name & number) 101 Lupine Lane/Marlboro Beach Road

Please Answer all questions below	Yes*	No	Facilities Info (check all that apply)
Are Current Uses non-conforming?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Well -- constructed approx '92 <input checked="" type="checkbox"/>
Are State or Federal Permits Required?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cold Spring Water Co Customer? <input type="checkbox"/> No
Is State or Federal Funding provided?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Septic System Permit # <u>594</u>
Is lot created by division from another Lot in the past 5 years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Subdivision name & Lot # _____

*If yes, attach explanation to application
Front setback

Section III – Proposed Construction Activity

(Check All That Apply, fill in dimensional information) *Provide RV, Mobile Home Information requested on Page 3

Residential Uses	#Stories	Sq. Ft.	Total Sq. Ft.	SSWD #	Int Plumb #	Accessory Uses	Sq Ft
<input checked="" type="checkbox"/> New Dwelling Unit	3	900	2,700			Garage/Shed/Barn	
<input type="checkbox"/> Manufactured Home						Deck	160
<input type="checkbox"/> Mobile Home*						Shore Access	
<input type="checkbox"/> Change of Use							
<input type="checkbox"/> Expansion							
<input type="checkbox"/> Recreational Vehicle*							

Other Activity: (Please describe in space below)

* Please reference Permit #13-22.

Covered under
Permit #1528

Section IV – Demographic & Assessment Information

For new dwelling units only –

- Estimated Construction Costs \$180,000
- Number of Bedrooms 3
- # Full Time Residents TBD # Part Time Residents 4 # Children under 18 0
- List any in-home occupations proposed N/A

Section V – Important DatesStarting Date: October 2016Estimated Completion Date May 2017**Section VI – Shoreland Zoning (If applicable) N/A**

Affected Waterbody _____ Distance from normal high water _____ feet.

Is clearing of trees and other vegetation required? Yes No (if yes, attach explanation)Is earth moving activity greater than 10CY? Yes No (If yes, DEP Permit required)Is setback less than 125 feet from high water mark? Yes No

If yes, please attach certification from a licensed surveyor that the 100-foot setback and elevation have been staked.

Section VII – Flood Zone InformationIs the proposed development located within a Flood Hazard Area? Yes X No

If Yes, complete the information below

- | | |
|---|-------------------------------|
| 1. Filling _____ cubic yards of fill | 9. Residential Structure |
| 2. Excavation _____ cubic yards removed | 10. Non-residential Structure |
| 3. Paving _____ square yards paved | 11. Water Dependent Use |
| 4. Drilling _____ | A. Dock Dimensions _____ |
| 5. Mining _____ acres mined | B. Pier Dimensions _____ |
| 6. Dredging _____ cubic yards dredged | C. Boat Ramp Dimensions _____ |
| 7. Levee _____ cubic yards in levee | 12. Floodproofing _____ |
| 8. Dam _____ acres of water surface | 13. Other (explain) _____ |
- Flood Zone (check one) A&AE Floodway V&VE ZO AH
- Elevation of lowest floor (NGVD) for all structures: _____
- Grade elevation at lowest grade adjacent to the existing or proposed wall: _____ (NGVD)
- Distance in feet of confluence or Corporate limit _____ feet
- If in Flood Zone AE or A1-A30, Nearest Cross Section References
- Above Site _____ Below Site _____
- Elevation of Base Flood at Nearest Cross Section
- Above Site _____ Below Site _____
- If "A" Zone: Base Flood Elevation _____
- Basis of "A" Zone BFE determination _____
- If in "VE" Nearest Transect Above site _____ Below Site _____
- Provide a statement describing how each applicable development standard (set forth in ARTICLE VI of the Flood Hazard Development Ordinance) will be met. If a water course is to be altered or relocated, describe in detail and provide copies of all applicable state and federal permits. Include certification from a licensed surveyor that the proposed project is located outside of the 100-year floodplain.
- Name of Surveyor/Architect/Engineer _____ License # _____

Section VIII – Additional Information or Attachments Required

- If property is not currently assessed to listed owner, please attach record of ownership
- If applicant is signing, please attached signed permission from owner to make application
- Attach any state or federal permits required
- If a dwelling unit, attach 3 copies of HHE200 form and applicable internal plumbing permit applications
- If driveway opens on public road, attach Lamoine Road Opening Permit Application, or MDOT approved road opening permit
- For Shoreland Zone applications with less than 125' setback, attach certification from registered surveyor that markers are placed to establish the 100-foot setback & elevation from the normal high water mark.
- Please supply all information requested on pages 5 and 6 or attach plans with required information.

Section IX – Signature

Signature by the applicant indicates an awareness of the requirements of the Lamoine Building and Land Use Codes, the Lamoine Shoreland Zoning Ordinance, and the Floodplain Hazard Development Ordinance for the Town of Lamoine. Submission of this application constitutes an application for a Certificate of Occupancy. **A Certificate of Occupancy must be obtained before the structure hereby permitted is used!** **BUILDING PROJECTS MUST MAKE SUBSTANTIAL START WITHIN ONE YEAR OF APPROVAL AND SUBSTANTIAL COMPLETION WITHIN TWO YEARS. SHORELAND PERMITS EXPIRE IN ONE YEAR.**

For those lands which fall within the Lamoine Shoreland Zoning area, a signature on this application indicates that the applicant has read the current Shoreland Zoning Ordinance and agrees to comply with all its requirements if a permit is issued.

For new structures or substantial improvements within the Flood Hazard Area, an approved permit will allow construction up to the establishment of the lowest floor. At that point, the applicant must provide an elevation certificate establishing actual floor elevation. Upon satisfactory documentation to the community (CEO), the construction may continue. The applicant understands and agrees that:

- ⇒ the permit applied for, if granted, is issued on the representations made herein;
- ⇒ that any permit issued may be revoked because of any breach of representation;
- ⇒ that once a permit is revoked all work shall cease until the permit is reissued or a new permit is issued;
- ⇒ any permit issued on this application will not grant any right or privilege to erect any structure or use any premises described for any purposes or in any manner prohibited by the ordinances, codes, or regulations of the Town of Lamoine
- ⇒ The applicant hereby gives consent to the Code Enforcement Officer or designated Town Official to enter and inspect activity covered under the provisions of the Floodplain Management Ordinance
- ⇒ If issued, the permit will be posted in a conspicuous place on the premises in plain view and;
- ⇒ If issued, the permit will expire if no work is commenced within 90 days of issuance (flood hazard only)

I hereby certify that all the statements in, and the attachments to this application are a true description of the existing property and the proposed development project.

Kathryn R True
Signature Kathryn R True, Member

June 20, 2016
Date

Application Fees:

		Residential Building	Commercial* Building	Shoreland	
160 2,700	Non-roofed	.05/sq. ft.	.10/sq. ft.	Non commercial	.10/sq ft
	Roofed	.10/sq. ft./floor	.20/sq. ft./floor	Commercial	.20/sq ft
	<100 sq. ft.	No charge	No charge	<100 sq ft	\$10.00
	Home Occupations: \$10.00				

*Included Commercial, Industrial, Multi-Family. See Site Plan Review Ordinance, Subdivision sections for additional fees.

$$\text{Fee} = (160 \text{ s.f.} \times \$0.05) + (2,700 \text{ s.f.} \times \$0.10) = \$8 + \$270 = \$278$$

For Use by the Code Enforcement Officer Only

Application Number 16-36 Date Received 6-30-16

Fees Collected: Building Permit \$ 278.-
 SZO Permit \$ _____
 Flood Hazard \$ _____
 Total \$ 278.- Receipt # _____

Action Taken: Rich Mallory 6-30-16
 Signature Date

- ☒ Approved Building Permit SSWD Permit # _____
☐ Approved Shoreland Permit DEP Permit # _____
☐ Approved Flood Hazard Permit Internal Plumbing Permit # _____
☐ Denied Permits (explain below) Other Permits (List) _____
☐ Routed to Planning Board
☐ Routed to Appeals Board

Comments

Planning Board Action	Appeals Board Action
Date Received _____	Date Received _____
Public Hearing Date _____	Public Hearing Date _____
Notices Mailed by: _____	Notices Mailed by: _____
Action Date: _____	Action Date: _____
Action Taken <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Action Taken <input type="checkbox"/> Approved <input type="checkbox"/> Denied
Denial Reasons or Conditions 	Denial Reasons or Conditions
_____, Chair/Secretary Signature	_____, Chair/Secretary Signature

Elevations - Please show a picture of the proposed development and its height and shape above ground. You may attach formal building plans and drawings in lieu of these pages if you wish.

Front or Rear View

The structure will be a 30'x30' Cape with a 12:12 roof pitch. Total height will be <35' Formal plans will be submitted prior to the start of construction

Side View

Floor Plan

Scale _____ = _____ feet

PLOT PLAN

PLEASE INCLUDE ALL SETBACK DISTANCES FROM:

Property Boundaries, Roads, Streets and rights of way, all wetlands and waterbodies, any existing wells and septic systems. Include 100 foot shoreland set back and/or flood elevations if applicable. Show all proposed decks & porches. Please identify all abutter names. (You may attach your own plot plan if you desire)

The structure will be no less compliant with setbacks than the current structure however the final location has not been determined.

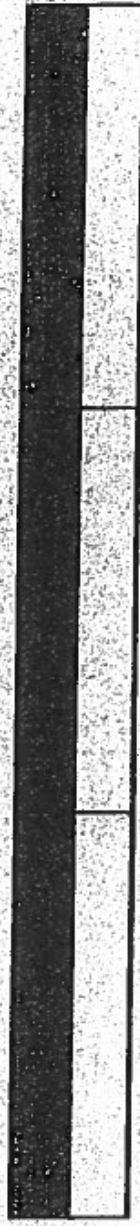
Scale _____ = _____ feet



Town of Lamoine, Maine
Building/Land Use Permit

Date of Issue 6.30.16 Map 16
Name Kathryn R. Truie Lot 48

Permit Number 16-36 Issued By Rick Saunders
Type of Project: FOR A 2900^{sq} HOUSE & 160^{sq} DECK



NO OCCUPANCY WITHOUT PERMIT

This card must be visible from the lot frontage
Building permits expire in two years

Lamoine CEO 667-2242

Application
Number _____

Town of Lamoine
Application for Local Road Entrance

Return to:
Lamoine Town Hall
606 Douglas Highway
Lamoine, ME 04605

Owner Information

Name: _____ **Kathryn R True**
Street _____ **4606 Windsor Drive**
Mailing Address _____ **Flowery Branch, GA 30542**
_____ **603-714-5668 or**
Telephone _____ **603-759-3764**

In accordance with the Town of Lamoine Building & Land Use Code, application is hereby made to construct an entrance to my property on the (North)(**South**)(East)(West) side of **Marlboro Beach Road** in the Town of Lamoine, County of Hancock, at a
(insert road name)

point approximately **15** feet (North)(South)(**East**)(West) from
1" Iron Bolt/Property Line for the following purpose:
(insert landmark, town line, utility pole, road, other)

see also the attached exhibit

☒ RESIDENTIAL ☐ COMMERCIAL ☐ DEVELOPMENT ☐ OTHER
(If other, please describe: _____)

The following is information in regard to the location and requested entrance(s):

1. Frontage of lot along road **121** feet.
2. Depth of lot **651** feet.
3. Number of Entrances requested **2 total, 1 additional**
4. Proposed width of entrances **10** feet.
5. Setback from center of public road: (A) to Buildings **35-40** (B) Other structures **N/A**
6. The surface of the driveway is proposed to be **gravel similar to existing treatment**
7. Construction desired to commence on **10/9/17** and completed on **10/22/17** (show dates)
8. Is this entrance part of a project/development requiring a DEP Site Location Permit? **YES** ☒ NO

THE OWNER HEREBY AGREES:

- (1) To provide, erect and maintain all necessary barricades, lights, warning signs and other devices to safeguard traffic properly while work is in progress.
- (2) That the highway will at no time be closed to traffic.
- (3) Where the drive is located in curb, curb and gutter, and/or sidewalk section, the owner will completely remove the existing curb and gutter and/or sidewalk and replace it with a standard concrete or granite driveway terminal section.
- (4) Shall obtain and have delivered to the site any culverts and/or drainage structures which may be necessary for drainage, the size, type and length as called for in the permit. Said culverts and/or other incidentals to be installed by owner, subject to inspection by Code Enforcement Officer or Road Commissioner.
- (5) Notify the Lamoine Town Office (667-2242) 24 hours before starting work on driveway entrance.
- (6) Will construct and maintain said driveway approach in accordance with MDOT rules & regulations.

FURTHER CONDITIONS OF THE PERMIT

The owner shall well and truly pay all damages, fines, and penalties for which they shall become liable, and shall indemnify and save harmless the Town of Lamoine against all suits, claims, damages, and proceedings of every kind arising out of the construction and maintenance of said driveway approach, including snow removal. *(Signature and sketch required on back of this form)*

SKETCH

(Show description from town line, road intersection or other landmark, including pertinent distances and measurements)

Please see the attached survey plan

To the best of my knowledge, the above application represents a depiction of what the proposed road entrance will look like if completed.

Signature Kathryn R True Date June 28, 2017

This application should be forwarded to the Lamoine Road Commissioner, Lamoine Town Hall, 606 Douglas Highway, Lamoine, ME 04605

Office Use Only	
Application Received on:	_____
Reviewed by:	_____
Address Assigned	_____
Permit was:	<input type="checkbox"/> issued <input type="checkbox"/> denied

Existing curb cut to be reduced to 10'.

Relocated Lupine Lane

Drive to be 15' from PL unless otherwise approved.

PROJECT BENCHMARK LAG SCREW IN UTILITY POLE ELEV=105.59' NAVD88 DATUM

GARAGE

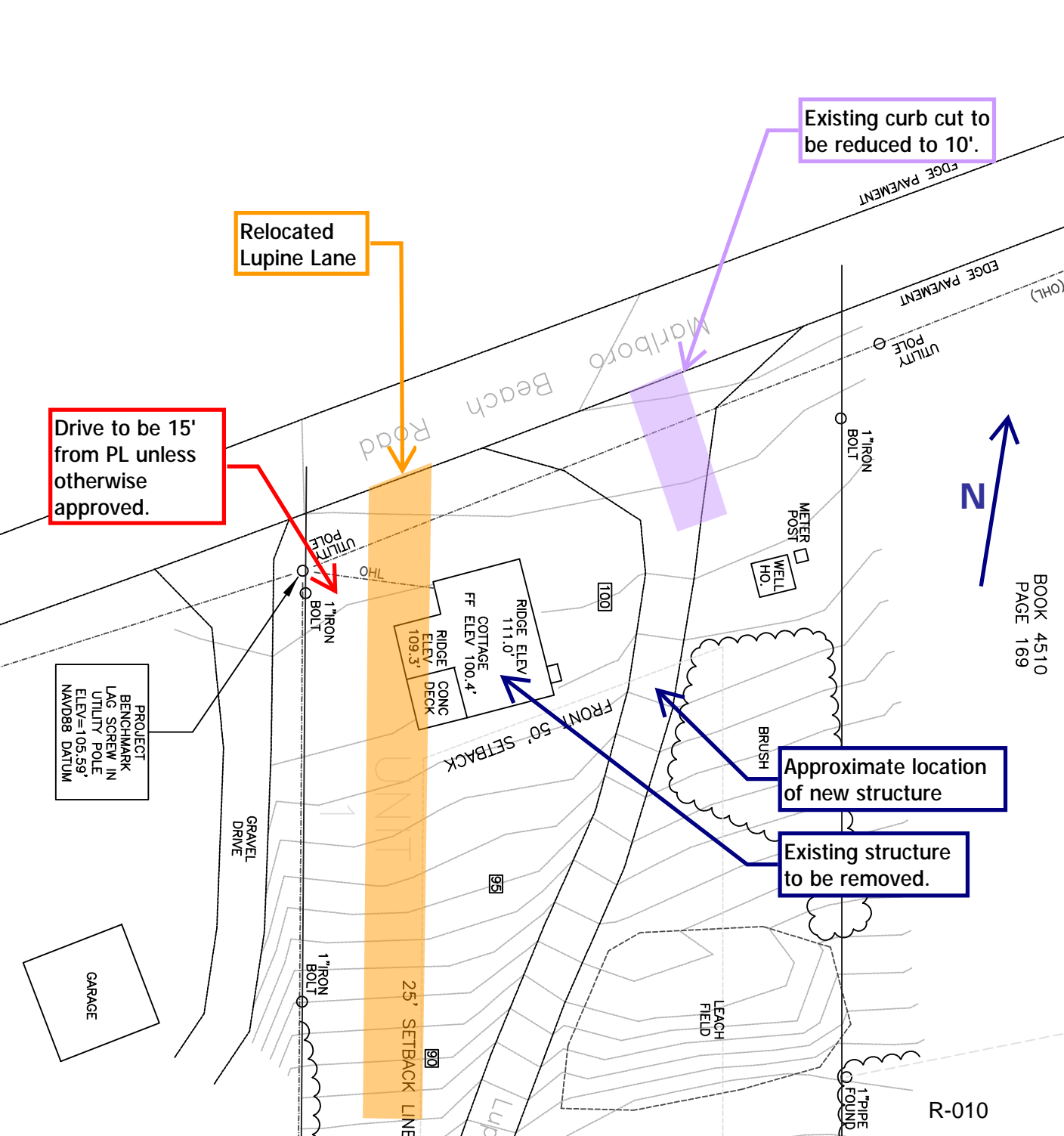
Marlboro Beach Road

RIDGE ELEV 111.0'
COTTAGE FF ELEV 100.4'
RIDGE CONC ELEV 109.3'

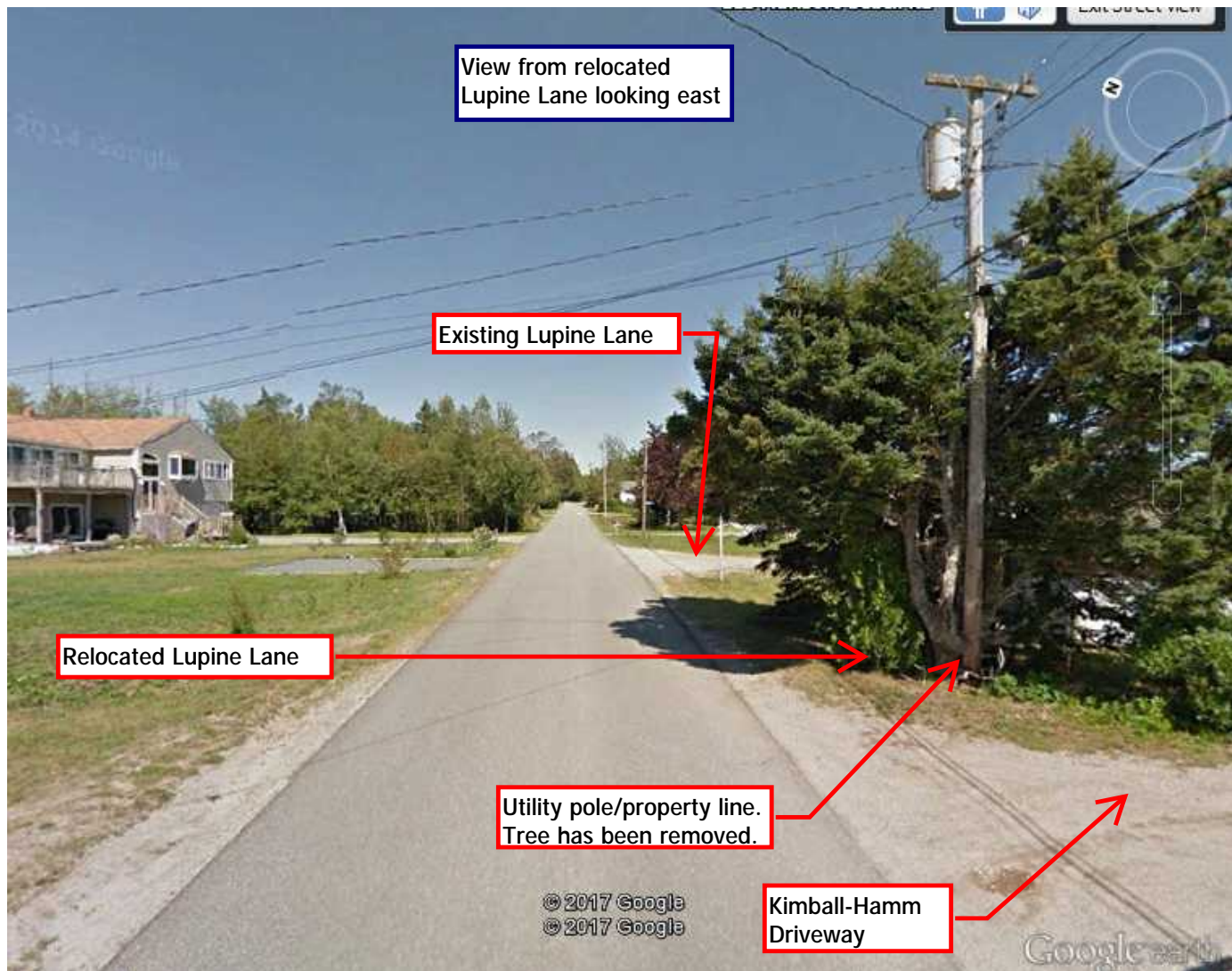
METER POST
WELL HO.

Approximate location of new structure

Existing structure to be removed.







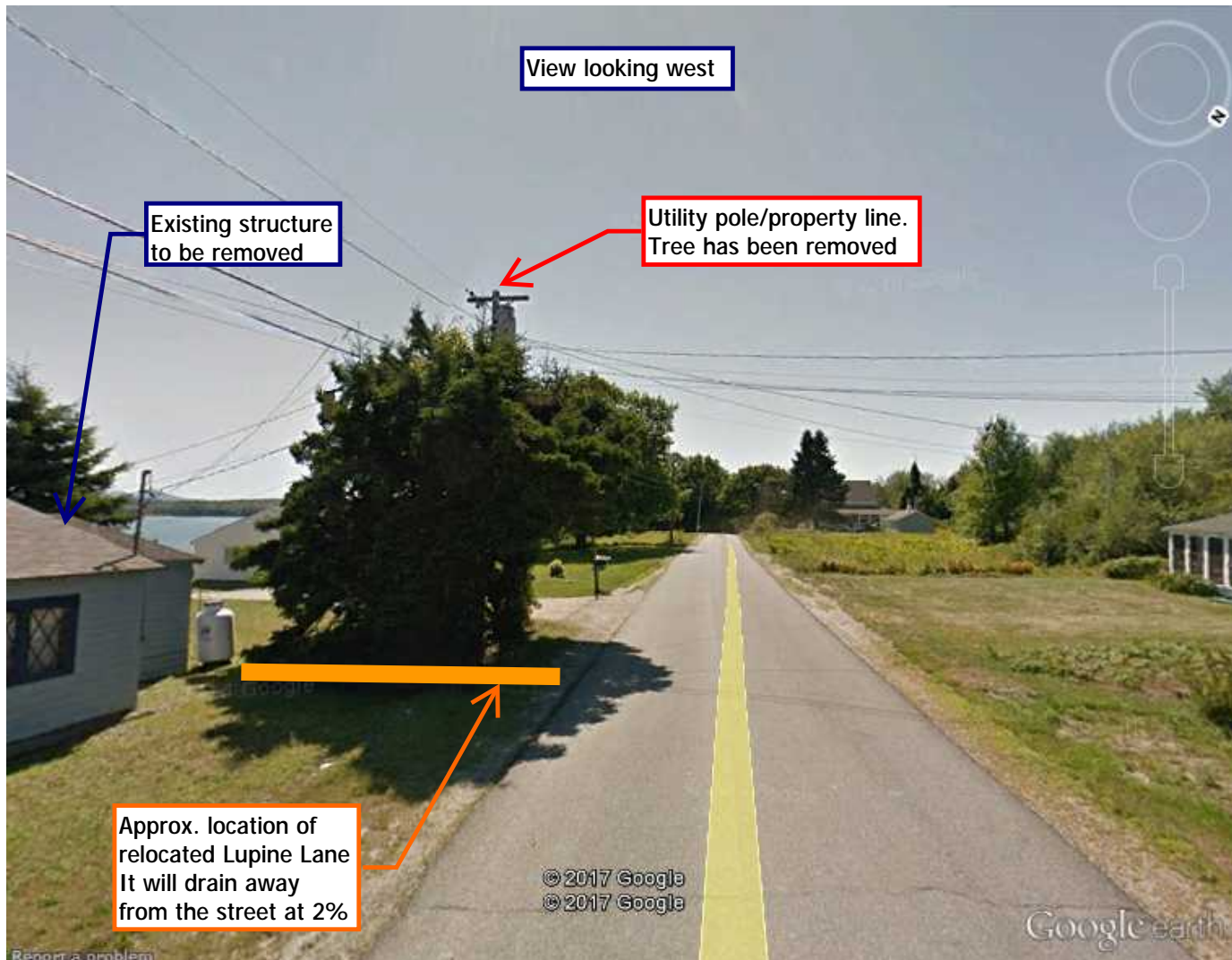
View from relocated
Lupine Lane looking east

Existing Lupine Lane

Relocated Lupine Lane

Utility pole/property line.
Tree has been removed.

Kimball-Hamm
Driveway



114 Marlboro Beach Road

14 messages

Thomas True <tnt1pe@gmail.com>

To: Code Enforcement Officer <ceo@lamoine-me.gov>

Wed, Apr 4, 2018 at 7:39 AM

Rebecca --

Please let confirm you have received this.

Thank you

Thomas N. True, P.E., L.S.

cell: 603-714-5668

text: 6037145668@vtext.com

"true \trū \ adj 1: the quality or state of being accurate."



Cottage Permit Plan 180404 True Site Plan.pdf
466K

Lamoine Code Enforcement <mike@lamoine-me.gov>

Reply-To: ceo@lamoine-me.gov

To: Thomas True <tnt1pe@gmail.com>

Wed, Apr 4, 2018 at 8:20 AM

Hey Tom. I have received this and am reviewing it. Thank you, Rebecca

[Quoted text hidden]

Thomas True <tnt1pe@gmail.com>

To: Code Enforcement Officer <ceo@lamoine-me.gov>

Wed, Apr 4, 2018 at 9:07 AM

Per our discussion

Thomas N. True, P.E., L.S.

cell: 603-714-5668

text: 6037145668@vtext.com

"true \trū \ adj 1: the quality or state of being accurate."

[Quoted text hidden]



Cottage Permit Plan 180404 True Site Plan.pdf
467K

Rebecca Ann Albright <dreaminadrum@gmail.com>

To: Thomas True <tnt1pe@gmail.com>

Wed, Apr 4, 2018 at 9:21 AM

First page only...you can just fill in top 2 left boxes and leave the rest blank if you want.....R
[Quoted text hidden]

Thomas True <tn1pe@gmail.com>
To: Rebecca Ann Albright <dreaminadrum@gmail.com>

Wed, Apr 4, 2018 at 9:34 AM

Will do, thanks!

I will get the \$ to you today
[Quoted text hidden]

Rebecca Ann Albright <dreaminadrum@gmail.com>
To: Thomas True <tn1pe@gmail.com>

Wed, Apr 4, 2018 at 10:01 AM

are you emailing semi-completed HHE-200 form and creditcarding the fee amount over the phone?
[Quoted text hidden]

Thomas True <tn1pe@gmail.com>
To: Rebecca Ann Albright <dreaminadrum@gmail.com>

Wed, Apr 4, 2018 at 10:51 AM

Here you go.

I would prefer to pay by credit card but can have my parents over there shortly if that is not possible.

Please let me know if you have any other questions.

Thomas N. True, P.E., L.S.
cell: 603-714-5668
text: 6037145668@vtext.com

"true \trü \ adj 1: the quality or state of being accurate."

[Quoted text hidden]

 **Septic Tank Permit 180404.pdf**
126K

Thomas True <tn1pe@gmail.com>
To: Code Enforcement Officer <ceo@lamoine-me.gov>

Wed, Apr 4, 2018 at 12:08 PM

Thomas N. True, P.E., L.S.
cell: 603-714-5668
text: 6037145668@vtext.com

"true \trü \ adj 1: the quality or state of being accurate."

[Quoted text hidden]

 **Septic Tank Permit 180404.pdf**
126K

Thomas True <tn1pe@gmail.com>

Wed, Apr 4, 2018 at 12:14 PM

To: Code Enforcement Officer <ceo@lamolne-ma.gov>

Sorry, I could have sworn I sent this too.

Stu took my payment so I believe we are all set there too but please let me know if there is anything else that you need.

Thanks so much for your help!

Thomas N. True, P.E., L.S.
cell: 603-714-5668
text: 6037145668@vtext.com

"true \trü \ adj 1: the quality or state of being accurate."

[Quoted text hidden]

 Cottage Permit Plan 180404 True Site Plan.pdf
467K

Rebecca Ann Albright <dreaminadrum@gmail.com>
To: Thomas True <tn1pe@gmail.com>

Wed, Apr 4, 2018 at 12:31 PM

Hey Tom, is this the revised plan??

On Wed, Apr 4, 2018 at 7:39 AM, Thomas True <tn1pe@gmail.com> wrote:
[Quoted text hidden]

Thomas True <tn1pe@gmail.com>
To: Rebecca Ann Albright <dreaminadrum@gmail.com>

Wed, Apr 4, 2018 at 12:34 PM

Yes. I added the note we discussed but that's it.

Thomas N. True, P.E., L.S.
cell: 603-714-5668
text: 6037145668@vtext.com

"true \trü \ adj 1: the quality or state of being accurate."

[Quoted text hidden]

Thomas True <tn1pe@gmail.com>
To: Rebecca Ann Albright <dreaminadrum@gmail.com>

Tue, Aug 14, 2018 at 11:24 AM

[Quoted text hidden]

 Cottage Permit Plan 180404 True Site Plan.pdf
467K

Rebecca Ann Albright <dreaminadrum@gmail.com>
To: Thomas True <tn1pe@gmail.com>

Tue, Aug 14, 2018 at 2:13 PM

Hi Tom I got the letter and I am confused about the reference to table eight a I don't know what ordinance that is in. Also please reduce the size of the garage somewhere at least by changing the lines and indicating the 4ft of difference thank you. Rebekah
[Quoted text hidden]

Thomas True <Int1pe@gmail.com>

To: Rebecca Ann Albright <dreaminadrum@gmail.com>

Tue, Aug 14, 2018 at 2:25 PM

I just resent what I'd sent before since you weren't able to find it. I will be preparing a new document to highlight the changes. I should have that to you tomorrow.

Thomas N. True, P.E., L.S.
cell: 603-714-5668
text: 6037145668@vtext.com

"true \trü \ adj 1: the quality or state of being accurate."

[Quoted text hidden]



Town of Lenoire Construction Application

This section to be completed by Code Enforcement Officer

Map 16 Lot 48 Zone _____ Shoreland Zone _____ Flood Zone _____

Fee Calculation \$306.60 Date Received 4/4/2018 Permit Number 18-7

☒ Building Permit ☐ Shoreland Permit ☐ Floodplain Hazard Permit

The undersigned applies for a construction permit for the uses indicated below. Said permit is to be considered on the basis of the information contained within this application. Any Federal, State or Local statutes, or regulations shall be applicable and their compliance necessary to obtain a permit. The permit will be issued to the owner of record or properly designated agent. Incomplete applications will NOT be processed.

Section I – Owner, Applicant & Contractor Information

Owner		Applicant	Contractor
Name	Kathryn R. True	same	TBD
Mailing Address	4606 Windsor Dr		
City, St. Zip	Flowery Branch, GA 30542		
Home Phone	603-759-3764		
Work Phone			
Cell Phone	603-759-3764		
Email	KathrynRTrue@gmail.com		

Section II – Lot information

Existing Property Use Residential Lot Size (acres or square feet) _____

Physical Address of property (road name & number) _____

Please Answer all questions below

	Yes*	No
Are Current Uses non-conforming?	X	
Are State or Federal Permits Required?		X
Is State or Federal Funding provided?		X
Is lot created by division from another Lot in the past 5 years?		X

*If yes, attach explanation to application

Facilities Info (check all that apply)

Well -- constructed approx '92	X
Cold Spring Water Co Customer?	No
Septic System Permit #	594
Subdivision name & Lot #	

Section III – Proposed Construction Activity

(Check All That Apply, fill in dimensional information) *Provide RV, Mobile Home Information requested on Page 3

Residential Uses	#Stories	Sq. Ft.	Total Sq. Ft.	SSWD #	Int Plumb #	Accessory Uses	Sq Ft
<input checked="" type="checkbox"/> New Dwelling Unit	3	957	2,871			Garage/Shed/Barn	
<input type="checkbox"/> Manufactured Home						Deck	336
<input type="checkbox"/> Mobile Home*						Shore Access	
<input type="checkbox"/> Change of Use							
<input type="checkbox"/> Expansion							
<input type="checkbox"/> Recreational Vehicle*							

Other Activity: (Please describe in space below)

See also permits: 1322, 1528

Section IV – Demographic & Assessment Information

For new dwelling units only –

- Estimated Construction Costs \$ 180,000
- Number of Bedrooms 3
- # Full Time Residents TBD # Part Time Residents 4 # Children under 18 0
- List any in-home occupations proposed N/A

Section V – Important DatesStarting Date: 4/1/2018 Estimated Completion Date 9/1/2018**Section VI – Shoreland Zoning (if applicable) N/A**

Affected Waterbody _____ Distance from normal high water _____ feet.

Is clearing of trees and other vegetation required? Yes No (if yes, attach explanation)Is earth moving activity greater than 10CY? Yes No (If yes, DEP Permit required)Is setback less than 125 feet from high water mark? Yes No

If yes, please attach certification from a licensed surveyor that the 100-foot setback and elevation have been staked.

Section VII – Flood Zone InformationIs the proposed development located within a Flood Hazard Area? Yes No

If Yes, complete the information below

1. Filling _____ cubic yards of fill
2. Excavation _____ cubic yards removed
3. Paving _____ square yards paved
4. Drilling _____
5. Mining _____ acres mined
6. Dredging _____ cubic yards dredged
7. Levee _____ cubic yards in levee
8. Dam _____ acres of water surface

9. Residential Structure

10. Non-residential Structure

11. Water Dependent Use

A. Dock Dimensions _____

B. Pier Dimensions _____

C. Boat Ramp Dimensions _____

12. Floodproofing _____

13. Other (explain) _____

Flood Zone (check one) A&AE Floodway V&VE ZO AH

Elevation of lowest floor (NGVD) for all structures: _____

Grade elevation at lowest grade adjacent to the existing or proposed wall: _____ (NGVD)

Distance in feet of confluence or Corporate limit _____ feet

If in Flood Zone AE or A1-A30, Nearest Cross Section References

Above Site _____ Below Site _____

Elevation of Base Flood at Nearest Cross Section

Above Site _____ Below Site _____

If "A" Zone: Base Flood Elevation _____

Basis of "A" Zone BFE determination _____

If in "VE" Nearest Transect Above site _____ Below Site _____

Provide a statement describing how each applicable development standard (set forth in ARTICLE VI of the Flood Hazard Development Ordinance) will be met. If a water course is to be altered or relocated, describe in detail and provide copies of all applicable state and federal permits. Include certification from a licensed surveyor that the proposed project is located outside of the 100-year floodplain.

Name of Surveyor/Architect/Engineer _____ License # _____

Section VIII – Additional Information or Attachments Required

- If property is not currently assessed to listed owner, please attach record of ownership
- If applicant is signing, please attached signed permission from owner to make application
- Attach any state or federal permits required
- If a dwelling unit, attach 3 copies of HHE200 form and applicable internal plumbing permit applications
- If driveway opens on public road, attach Lamoine Road Opening Permit Application, or MDOT approved road opening permit
- For Shoreland Zone applications with less than 125' setback, attach certification from registered surveyor that markers are placed to establish the 100-foot setback & elevation from the normal high water mark.
- Please supply all information requested on pages 5 and 6 or attach plans with required information.

Section IX – Signature

Signature by the applicant indicates an awareness of the requirements of the Lamoine Building and Land Use Codes, the Lamoine Shoreland Zoning Ordinance, and the Floodplain Hazard Development Ordinance for the Town of Lamoine. Submission of this application constitutes an application for a Certificate of Occupancy. **A Certificate of Occupancy must be obtained before the structure hereby permitted is used. BUILDING PROJECTS MUST MAKE SUBSTANTIAL START WITHIN ONE YEAR OF APPROVAL AND SUBSTANTIAL COMPLETION WITHIN TWO YEARS. SHORELAND PERMITS EXPIRE IN ONE YEAR.**

For those lands which fall within the Lamoine Shoreland Zoning area, a signature on this application indicates that the applicant has read the current Shoreland Zoning Ordinance and agrees to comply with all its requirements if a permit is issued.

For new structures or substantial improvements within the Flood Hazard Area, an approved permit will allow construction up to the establishment of the lowest floor. At that point, the applicant must provide an elevation certificate establishing actual floor elevation. Upon satisfactory documentation to the community (CEO), the construction may continue. The applicant understands and agrees that:

- ⇒ the permit applied for, if granted, is issued on the representations made herein;
- ⇒ that any permit issued may be revoked because of any breach of representation;
- ⇒ that once a permit is revoked all work shall cease until the permit is reissued or a new permit is issued;
- ⇒ any permit issued on this application will not grant any right or privilege to erect any structure or use any premises described for any purposes or in any manner prohibited by the ordinances, codes, or regulations of the Town of Lamoine
- ⇒ The applicant hereby gives consent to the Code Enforcement Officer or designated Town Official to enter and inspect activity covered under the provisions of the Floodplain Management Ordinance
- ⇒ If issued, the permit will be posted in a conspicuous place on the premises in plain view and;
- ⇒ If issued, the permit will expire if no work is commenced within 90 days of issuance (flood hazard only)

I hereby certify that all the statements in, and the attachments to this application are a true description of the existing property and the proposed development project.

Kathryn R True
Signature

March 26, 2018
Date

Application Fees:

	Residential Building	Commercial* Building	Shoreland
Non-roofed	.05/sq. ft.	.10/sq. ft.	Non commercial .10/sq ft
Roofed	.10/sq. ft./floor	.20/sq. ft./floor	Commercial .20/sq ft
<100 sq. ft.	No charge	No charge	<100 sq ft \$10.00
Home Occupations: \$10.00			

*Included Commercial, Industrial, Multi-Family. See Site Plan Review Ordinance, Subdivision sections for additional fees

For Use by the Code Enforcement Officer OnlyApplication Number _____ Date Received 4/4/2018

Fees Collected: Building Permit \$ 306.60
 SZO Permit \$ _____
 Flood Hazard \$ _____
 Total \$ _____ Receipt # _____

Action Taken: [Signature]
 Signature _____ Date _____

- ☒ Approved Building Permit SSWD Permit # 1855
☐ Approved Shoreland Permit DEP Permit # _____
☐ Approved Flood Hazard Permit Internal Plumbing Permit # _____
☐ Denied Permits (explain below) Other Permits (List) _____
☐ Routed to Planning Board
☐ Routed to Appeals Board

Comments

Planning Board Action	Appeals Board Action
Date Received _____	Date Received _____
Public Hearing Date _____	Public Hearing Date _____
Notices Mailed by: _____	Notices Mailed by: _____
Action Date: _____	Action Date: _____
Action Taken <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Action Taken <input type="checkbox"/> Approved <input type="checkbox"/> Denied
Denial Reasons or Conditions 	Denial Reasons or Conditions
_____, Chair/Secretary Signature	_____, Chair/Secretary Signature

Elevations - Please show a picture of the proposed development and its height and shape above ground. You may attach formal building plans and drawings in lieu of these pages if you wish.

Front or Rear View

See plans provided

Side View

See plans provided

Floor Plan

See plans provided

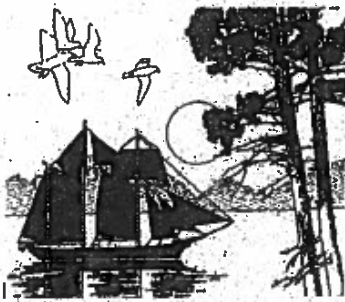
Scale _____ = _____ feet

PLOT PLAN

PLEASE INCLUDE ALL SETBACK DISTANCES FROM:

Property Boundaries, Roads, Streets and rights of way, all wetlands and waterbodies, any existing wells and septic systems. Include 100 foot shoreland set back and/or flood elevations if applicable. Show all proposed decks & porches. Please identify all abutter names. (You may attach your own plot plan if you desire)

Scale _____ = _____ feet



Town of Lamoine, Maine Building/Land Use Permit

Date of Issue 4/4/18

Map 16

Name Kathryn True

Lot 48

Permit Number 18-7

Issued By Rebecca Albright

Type of Project: tear down house, build 2871 sq ft house
3360' deck garage

Foundation/Setback Checked	Final Inspection Date	Certificate of Occupancy Date

NO OCCUPANCY WITHOUT PERMIT

This card must be visible from the lot frontage

Building permits expire in two years

Lamoine CEO 667-2242

Exhibit
#1

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. Health & Human Services
Div. Environmental Health, LHSIS
(207) 287-2070 Fax: (207) 287-4172

PROPERTY LOCATION		>> CAUTION: LPI APPROVAL REQUIRED <<	
City, Town, or Plantation	Lamoine, ME	Town/City	Permit #
Street or Road	114 Marlboro Beach Rd	Date Permit Issued	Fee: \$ Double Fee Charged []
Subdivision, Lot #	N/A	Local Plumbing Inspector Signature	L.P.I. #
OWNER/APPLICANT INFORMATION		Fee: \$ state min fee \$ Locally adopted fee Copy: [] Owner [] Town [] State	
Name (last, first, MI)	True, Kathryn R [Owner]	The Subsurface Wastewater Disposal System shall not be installed until a Permit is issued by the Local Plumbing Inspector. The Permit shall authorize the owner or installer to install the disposal system in accordance with this application and the Maine Subsurface Wastewater Disposal Rules.	
Mailing Address of	4606 Windsor Dr	Municipal Tax Map # 16 Lot # 48	
Owner/Applicant	Flowery Branch, GA 30542		
Daytime Tel. #	603-714-5668		
OWNER OR APPLICANT STATEMENT		CAUTION: INSPECTION REQUIRED	
I state and acknowledge that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Department and/or Local Plumbing Inspector to deny a Permit. Kathryn R True 4/4/18 Signature of Owner or Applicant Date		I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application. (1st) date approved Local Plumbing Inspector Signature (2nd) date approved	

PERMIT INFORMATION	
TYPE OF APPLICATION 1. First Time System 2. Replacement System Type replaced: Year Installed: 1992 3. Expanded System a. <25% Expansion b. >25% Expansion 4. Experimental System 5. Seasonal Conversion	THIS APPLICATION REQUIRES 1. No Rule Variance 2. First Time System Variance a. Local Plumbing Inspector Approval b. State & Local Plumbing Inspector Approval 3. Replacement System Variance a. Local Plumbing Inspector Approval b. State & Local Plumbing Inspector Approval 4. Minimum Lot Size Variance 5. Seasonal Conversion Permit
SIZE OF PROPERTY 1.81 +/- SQ. FT. ACRES	DISPOSAL SYSTEM TO SERVE 1. Single Family Dwelling Unit, No. of Bedrooms: 3 2. Multiple Family Dwelling, No. of Units: 3. Other: (specify) Current Use Seasonal Year Round Undeveloped
SHORELAND ZONING Yes No	DISPOSAL SYSTEM COMPONENTS 1. Complete Non-engineered System 2. Primitive System (graywater & alt. toilet) 3. Alternative Toilet, specify: 4. Non-engineered Treatment Tank (only) 5. Holding Tank, gallons 6. Non-engineered Disposal Field (only) 7. Separated Laundry System 8. Complete Engineered System (2000 gpd or more) 9. Engineered Treatment Tank (only) 10. Engineered Disposal Field (only) 11. Pre-treatment, specify: 12. Miscellaneous Components
	TYPE OF WATER SUPPLY 1. Drilled Well 2. Dug Well 3. Private 4. Public 5. Other

* RESET TANK ONLY * DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)

TREATMENT TANK 1. Concrete a. Regular b. Low Profile 2. Plastic 3. Other: CAPACITY: 1,000 GAL.	DISPOSAL FIELD TYPE & SIZE 1. Stone Bed 2. Stone Trench 3. Proprietary Device a. cluster array c. Linear b. regular load d. H-20 load 4. Other: SIZE: sq. ft. lin. ft.	GARBAGE DISPOSAL UNIT 1. No 2. Yes 3. Maybe If Yes or Maybe, specify one below: a. multi-compartment tank b. tanks in series c. increase in tank capacity d. Filter on Tank Outlet	DESIGN FLOW gallons per day BASED ON: 1. Table 4A (dwelling unit(s)) 2. Table 4C (other facilities) SHOW CALCULATIONS for other facilities
SOIL DATA & DESIGN CLASS PROFILE CONDITION at Observation Hole # Depth of Most Limiting Soil Factor	DISPOSAL FIELD SIZING 1. Medium---2.6 sq. ft. / gpd 2. Medium---Large 3.3 sq. ft. / gpd 3. Large---4.1 sq. ft. / gpd 4. Extra Large---5.0 sq. ft. / gpd	EFFLUENT/EJECTOR PUMP 1. Not Required 2. May Be Required 3. Required Specify only for engineered systems: DOSE: gallons	3. Section 4G (meter readings) ATTACH WATER METER DATA LATITUDE AND LONGITUDE at center of disposal area Lat. d m s Lon. d m s If g.p.s, state margin of error:

SITE EVALUATOR STATEMENT

I certify that on (date) I completed a site evaluation on this property and state that the data reported are accurate and that the proposed system is in compliance with the State of Maine Subsurface Wastewater Disposal Rules (10-144A CMR 241).

Site Evaluator Signature

SE #

Date

Site Evaluator Name Printed

Telephone Number

E-mail Address

Note: Changes to or deviations from the design should be confirmed with the Site Evaluator.

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

State of Maine Department of Health & Human Services
 Div. Environmental Health, 11515
 (207) 287-2070 Fax: (207) 287-4172

PROPERTY LOCATION		>> CAUTION: LPI APPROVAL REQUIRED <<	
City, Town, or Plantation	Lamoine, ME	Town/City	Lamoine Permit # 1855
Street or Road	114 Marlboro Beach Rd	Date Permit Issued	4/4/18 Fee: \$ 150 Double Fee Charged <input type="checkbox"/>
Subdivision, Lot #	N/A	Local Plumbing Inspector Signature	<i>[Signature]</i> L.P.I. # 374
OWNER/APPLICANT INFORMATION		Fee: \$ 250 state min fee \$ 15 Locally adopted fee	
Name (last, first, MI)	True, Kathryn R. Owner	Copy: <input type="checkbox"/> Owner <input type="checkbox"/> Town <input type="checkbox"/> State	
Mailing Address of Owner/Applicant	4606 Windsor Dr Flowery Branch, GA 30542	The Subsurface Wastewater Disposal System shall not be installed until a Permit is issued by the Local Plumbing Inspector. The Permit shall authorize the owner or installer to install the disposal system in accordance with this application and the Maine Subsurface Wastewater Disposal Rules.	
Daytime Tel. #	603-714-5668	Municipal Tax Map # 16 Lot # 48	

OWNER/APPLICANT STATEMENT I state and acknowledge that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Department and the Local Plumbing Inspector to deny a Permit. <i>Kathryn R. True</i> 4/4/18 Signature of Owner or Applicant Date	CAUTION: INSPECTION REQUIRED I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application. (1st) date approved <i>[Signature]</i> Local Plumbing Inspector Signature (Initials) approved
--	--

PERMIT INFORMATION		
TYPE OF APPLICATION 1. First Time System 2. Replacement System Type replaced: _____ Year installed: 1992 3. Expanded System a. 25% Expansion b. 25% Expansion 4. Experimental System 5. Seasonal Conversion	THIS APPLICATION REQUIRES 1. No Rule Variance 2. First Time System Variance a. Local Plumbing Inspector Approval b. State & Local Plumbing Inspector Approval 3. Replacement System Variance a. Local Plumbing Inspector Approval b. State & Local Plumbing Inspector Approval 4. Minimum Lot Size Variance 5. Seasonal Conversion Permit	DISPOSAL SYSTEM COMPONENTS 1. Complete Non-engineered System 2. Primitive System (graywater & alt. toilet) 3. Alternative Toilet, specify: _____ 4. Non-engineered Treatment Tank (only) 5. Holding Tank, _____ gallons 6. Non-engineered Disposal Field (only) 7. Separated Laundry System 8. Complete Engineered System (2000 gpd or more) 9. Engineered Treatment Tank (only) 10. Engineered Disposal Field (only) 11. Pre-treatment, specify: _____ 12. Miscellaneous Components
SIZE OF PROPERTY 1.81 +/- 50 FT ACRES	DISPOSAL SYSTEM TO SERVE 1. Single Family Dwelling Unit, No. of Bedrooms: 3 2. Multiple Family Dwelling, No. of Units: _____ 3. Other: _____ (specify)	TYPE OF WATER SUPPLY 1. Drilled Well 2. Dug Well 3. Private 4. Public 5. Other
SHORELAND ZONING Yes <input type="checkbox"/> No <input type="checkbox"/> Current Use Seasonal <input type="checkbox"/> Year Round <input type="checkbox"/> Undeveloped <input type="checkbox"/>		

* RESET TANK ONLY * DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)			
TREATMENT TANK 1. Concrete a. Regular b. Low Profile 2. Plastic 3. Other: _____ CAPACITY: 1,000 GAL	DISPOSAL FIELD TYPE & SIZE 1. Stone Bed 2. Stone Trench 3. Proprietary Device a. cluster array c. Linear b. regular load d. H-20 load 4. Other: _____ SIZE: _____ sq. ft. l/n. ft.	GARBAGE DISPOSAL UNIT 1. No 2. Yes 3. Maybe If Yes or Maybe, specify one below: a. multi-compartment tank b. _____ tanks in series c. increase in tank capacity d. Filter on Tank Outlet	DESIGN FLOW _____ gallons per day BASED ON: 1. Table 4A (dwelling unit(s)) 2. Table 4C (other facilities) SHOW CALCULATIONS for other facilities
SOIL DATA & DESIGN CLASS PROFILE CONDITION a. Observation Hole # _____ Depth _____" of Most Limiting Soil Factor	DISPOSAL FIELD SIZING 1. Medium—2.6 sq. ft. / gpd 2. Medium—Large 3.3 sq. ft. / gpd 3. Large—4.1 sq. ft. / gpd 4. Extra Large—5.0 sq. ft. / gpd	EFFLUENT/EJECTOR PUMP 1. Not Required 2. May Be Required 3. Required Specify only for engineered systems: DOSE: _____ gallons	3. Section 4G (meter readings) ATTACH WATER METER DATA LATITUDE AND LONGITUDE at center of disposal area Lat. _____ d _____ m _____ s Lon. _____ d _____ m _____ s If g.p.s. state margin of error: _____

SITE EVALUATOR STATEMENT

I certify that on _____ (date) I completed a site evaluation on this property and state that the data reported are accurate and that the proposed system is in compliance with the State of Maine Subsurface Wastewater Disposal Rules (10-144A CMR 241).

Site Evaluator Signature	SE #	Date
Site Evaluator Name Printed	Telephone Number	E-mail Address

Note: Changes to or deviations from the design should be confirmed with the Site Evaluator. Page 1 of 3



Thomas True <tnt1pe@gmail.com>

114 Marlboro Beach Road

5 messages

Thomas True <tnt1pe@gmail.com>
To: Rebecca Ann Albright <dreaminadrum@gmail.com>

Wed, Aug 8, 2018 at 10:14 AM

Rebecca --

We understand that you have had a busy summer, we hope that it has also been enjoyable.

We have now finalized our building plans with the exception of a few "finish" decisions so we wanted to forward those to you for your records. The garage will be site built so we do not have a plan for that.

As mentioned, we also wanted to clarify a few things with you. Since the ocean side will be a walkout, the distance from the peak to the final grade will be about 36'. Given the scrutiny that this application has faced, I wanted to make sure that I have interpreted the "building height" regulation correctly. I have attached my understanding and calculations. I also did a little research and found a building height form that had been used elsewhere and attached that in case it is any help.

Thank you for your help.

We will plan to stop by and see you on the 19th in case any issues remain.

Thomas N. True, P.E., L.S.
cell: 603-714-5668
text: 6037145668@vtext.com

"true \trü \ adj 1: the quality or state of being accurate."

4 attachments

 Building Height Calculations 180807.pdf
926K

 True Site Plan 180808.pdf
436K

 Setback Clarification.pdf
376K

 Grade Plane Determination Worksheet ~ City of Milwaukee.pdf
43K

Rebecca Ann Albright <dreaminadrum@gmail.com>
To: Thomas True <tnt1pe@gmail.com>

Wed, Aug 8, 2018 at 10:17 AM

Ho Tom. Got them, printed them...Thanks Rebecca
[Quoted text hidden]

Thomas True <tnt1pe@gmail.com>
To: Rebecca Ann Albright <dreaminadrum@gmail.com>

Wed, Aug 8, 2018 at 10:22 AM

Site plan should be at scale if printed 11 x 17
[Quoted text hidden]

Rebecca Ann Albright <dreaminadrum@gmail.com>

Wed, Aug 8, 2018 at 11:22 AM

To: Thomas True <tnt1pe@gmail.com>

k

[Quoted text hidden]

Thomas True <tnt1pe@gmail.com>

Wed, Aug 8, 2018 at 11:26 AM

To: Rebecca Ann Albright <dreaminadrum@gmail.com>

Please let me know what you think

[Quoted text hidden]

Average Daily Traffic (ADT): The average number of vehicles per day that enter and exit the premises or travel over a specific section of road.

Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year, commonly called the 100-year flood.

Basement: Any area of the building having its floor subgrade (below ground level) on all sides.

Bed and Breakfast: Any dwelling in which transient lodging or boarding and lodging are provided and offered to the public by the owner for compensation for less than 30 days. This dwelling shall also be the full-time, permanent residence of its owner; otherwise, it shall be classified as a hotel/motel. There shall be no provisions for cooking in any individual guest room.

Boarding/Lodging Facility: Any residential structure where lodging and/or meals are provided for compensation for a period of at least one week, and where a family residing in the building acts as proprietor or owner. When the criteria for a family residing in the building cannot be met, the building shall be classified as a hotel/motel. There shall be no provisions for cooking in any individual guest room.

Buffer zone: trees, hedges, fencing, or other vegetative barrier in keeping with the character of the natural surroundings which provides a visual and auditory screen between a structure or lot and another structure, lot, or street.

Building: Any 3 dimensional structure or enclosure by any building materials or any space for any use or occupancy, temporary or permanent, including but not limited to swimming pools, foundations or pilings in the ground and all parts of any kind of structure above ground including decks, railings, dormers, and stairs, and excluding sidewalks, fences, driveways, electrical transmission and distribution lines, and field or garden walls or embankment retaining walls.

Building Height: The vertical distance between the highest point of the structure and the average final grade around the foundation, or the average grade of the original ground adjoining the building, whichever is greater.

Business and Professional Offices: The place of business of doctors, lawyers, accountants, financial advisors, architects, surveyors, real estate and insurance businesses, psychiatrists, counselors, and the like or in which a business conducts its administrative, financial or clerical operations including banks and other financial services, but not retail sales nor activities utilizing trucks on site as part of the business operation.

Campground: Land upon which one or more tents are erected or trailers or other shelter are parked for temporary use for a fee or two or more sites on the same property arranged specifically for that purpose.

Cemetery: Property used for the interring of the dead.

Church, Synagogue and Mosque: A building or structure, or group of buildings or structures, designed, primarily intended and used for the conduct of religious services.

Club: Any voluntary association of persons organized for social, religious, benevolent, literary, scientific, or political purposes,; whose facilities, especially a clubhouse, are open to members and guests only and not the general public; and not engaged in activities customarily carried on by a

FF elevation 103.2

<u>Wall Number</u>	<u>Wall Length</u>	<u>Final grades</u>		<u>Average</u>	<u>Weighted Average (Wall Length X Average Final Grade)</u>
		<u>High</u>	<u>Low</u>		
1	6	102	102	102	612
2	14	102	102	102	1,428
3	26	102	102	102	2,652
4	14	102	102	102	1,428
5	6	102	102	102	612
6	14	102	99	100.5	1,407
7	38	94	94	94	3,572
8	16	102	102	102	1,632
9	24	102	102	102	2,448
10	16	102	102	102	1,632
11	10	102	102	102	1,020

Perimeter (total wall length) 184 18,443

Average final grade at foundation = 100.2

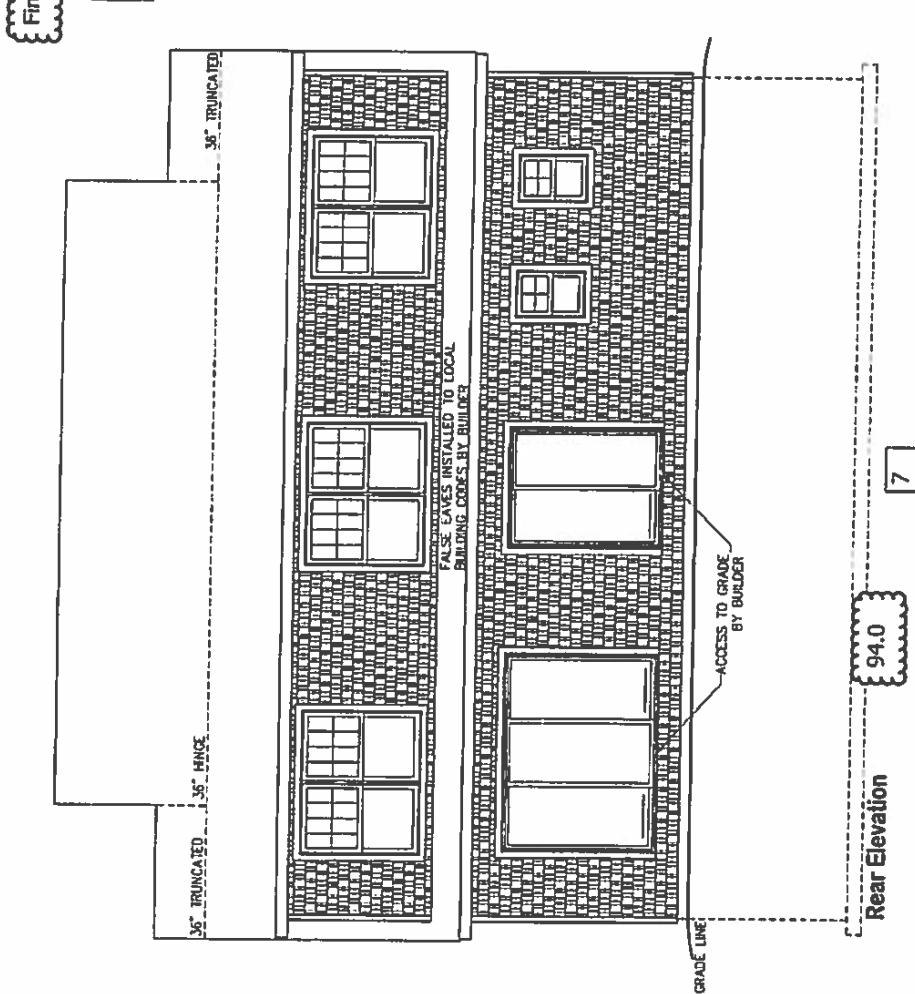
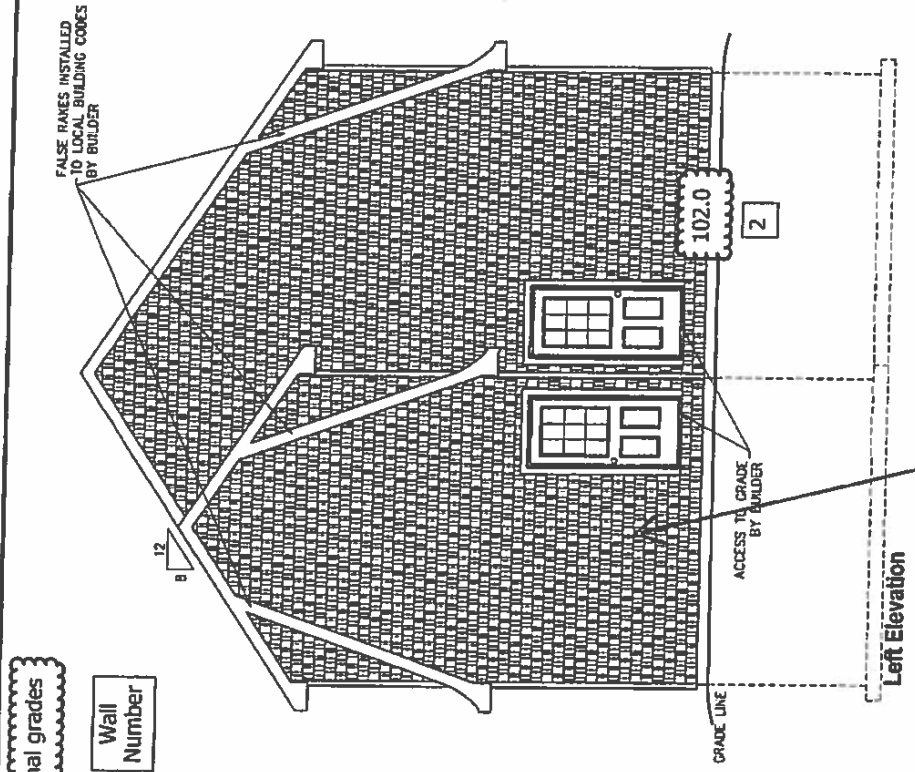
Elevation of peak = 131.2

Building Height = 31.0



Note: Any drawings, concepts or designs created by Prestige Homes Inc. are the sole property of Prestige Homes Inc. and are subject to copyright protection under the Canadian Intellectual Property Act. Any attempt at utilizing a design, part of a design, or concept without express written permission is strictly prohibited.

Building Height (from Lamaine ordinance): The vertical distance between the highest point of the structure and the average final grade around the foundation, or the average grade of the original ground adjoining the building, whichever is greater



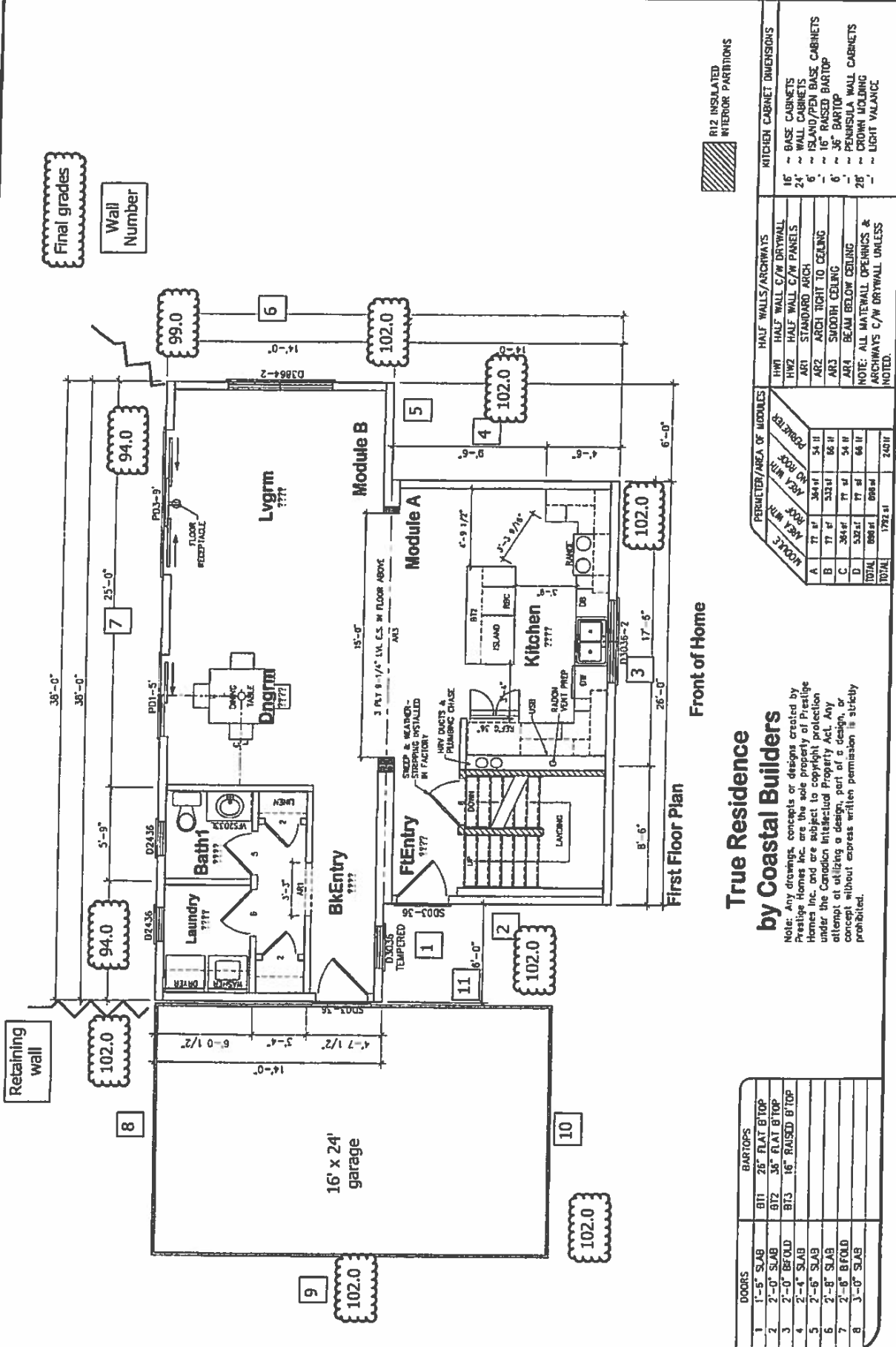
True Residence by Coastal Builders

Note: Any drawings, concepts or designs created by Prestige Homes Inc. are the sole property of Prestige Homes Inc. and are subject to copyright protection under the Canadian Intellectual Property Act. Any attempt at utilizing a design, part of a design, or concept without express written permission is strictly prohibited.

- WINDOW GUARDS BY BUILDER ON SITE
- 19 INCHES BETWEEN FINISHED FLOOR & BOTTOM OF GLASS EDGE @ ALL 6" WINDOWS
- VINYL SHAKE SING & CORNER POSTS INSTALLED TO LOCAL BUILDING CODES BY BUILDER

Final grades

Wall Number

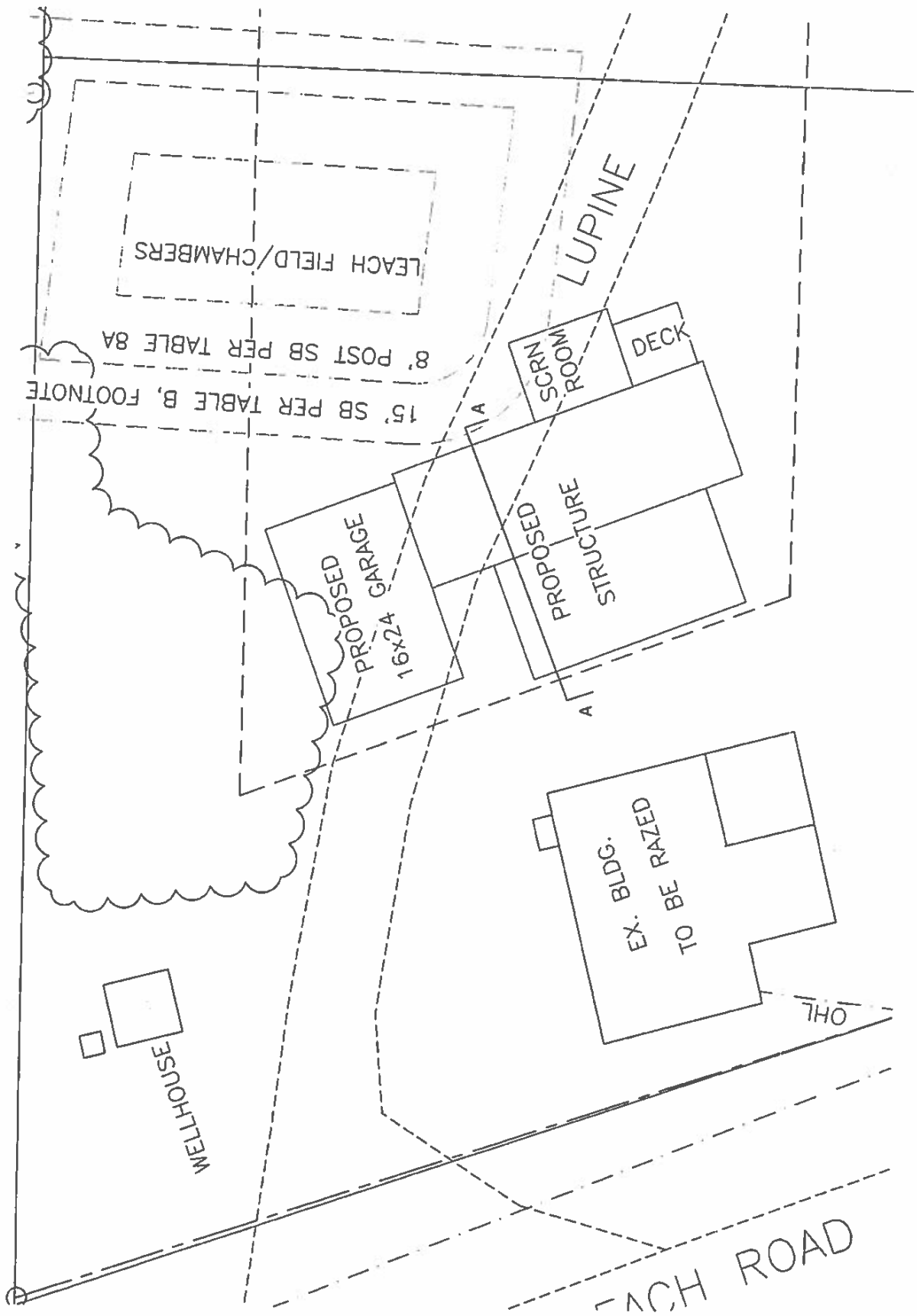


DOORS		BARTOPS	
1	1'-6" SLAB	B11	26" FLAT B' TOP
2	2'-0" SLAB	B12	36" FLAT B' TOP
3	2'-0" B' FOLD	B13	16" RAISED B' TOP
4	2'-4" SLAB		
5	2'-6" SLAB		
6	2'-8" SLAB		
7	2'-6" B' FOLD		
8	3'-0" SLAB		

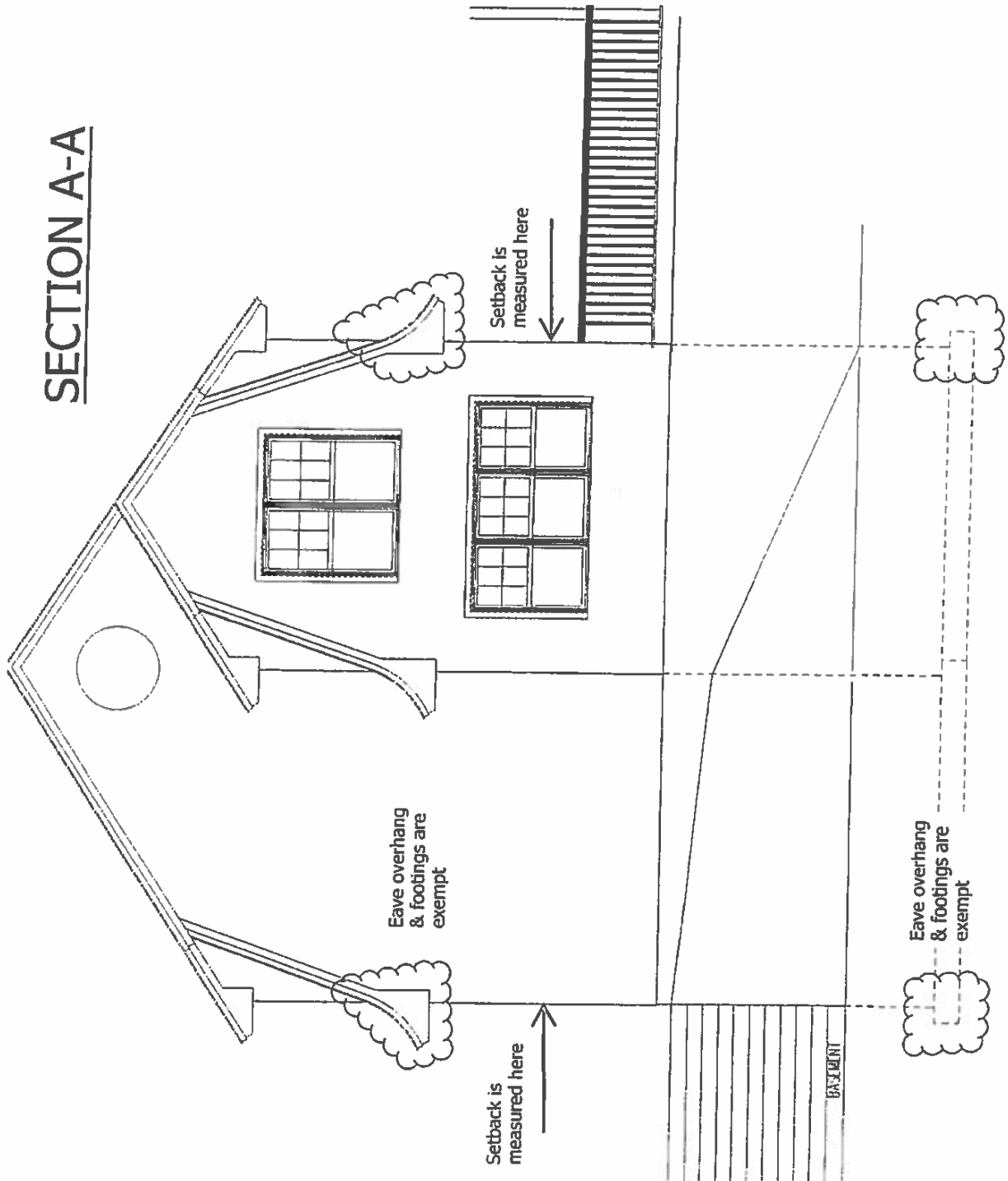
**True Residence
by Coastal Builders**

MODULE	4000' x 800'		4000' x 1200'		PERIMETER
	AREA	PERIMETER	AREA	PERIMETER	
A	77 sf	344 sf	54 sf		
B	77 sf	533 sf	66 sf		
C	344 sf	77 sf	54 sf		
D	533 sf	77 sf	66 sf		
TOTAL	1098 sf	698 sf			
TOTAL		1792 sf			2401'

KITCHEN CABINET DIMENSIONS	
~ BASE CABINETS	16"
~ WALL CABINETS	24"
~ ISLAND/PEN BASE CABINETS	6"
~ 16" RAISED BARTOP	16"
~ 36" BARTOP	6"
~ PENINSULA WALL CABINETS	28"
~ CROWN MOLDING	2"
~ LIGHT VALANCE	—



SECTION A-A



GRADE PLANE DETERMINATION WORKSHEET

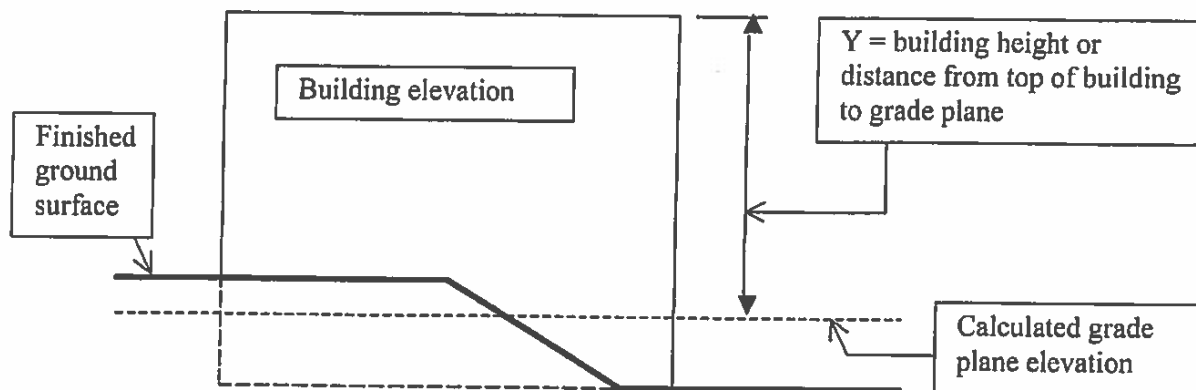
[illegible]

Total of all wall lengths (building perimeter) = _____ Feet

Total of all wall areas from above table = _____ Square feet

Building height Y = (Total wall area / Total wall length) = _____ Feet

Permitted building height from Table 503 including modifications to building height within section 504
= _____ Feet (This value must be equal to or greater than the value "Y" calculated above.)





all time gmail.com

Compose

Inbox

5

Starred

Snoozed

Sent

Drafts

9

More



beck

Thomas True <tnt1pe@gmail.com>
to me

Aug 15,

Please find attached the following:

"Setback clarification" -- revised to reflect that it is measured to the eave t
discussed

The approved site plan showing areas (highlighted in orange) that will be

Please let me know if there is anything else that you need.

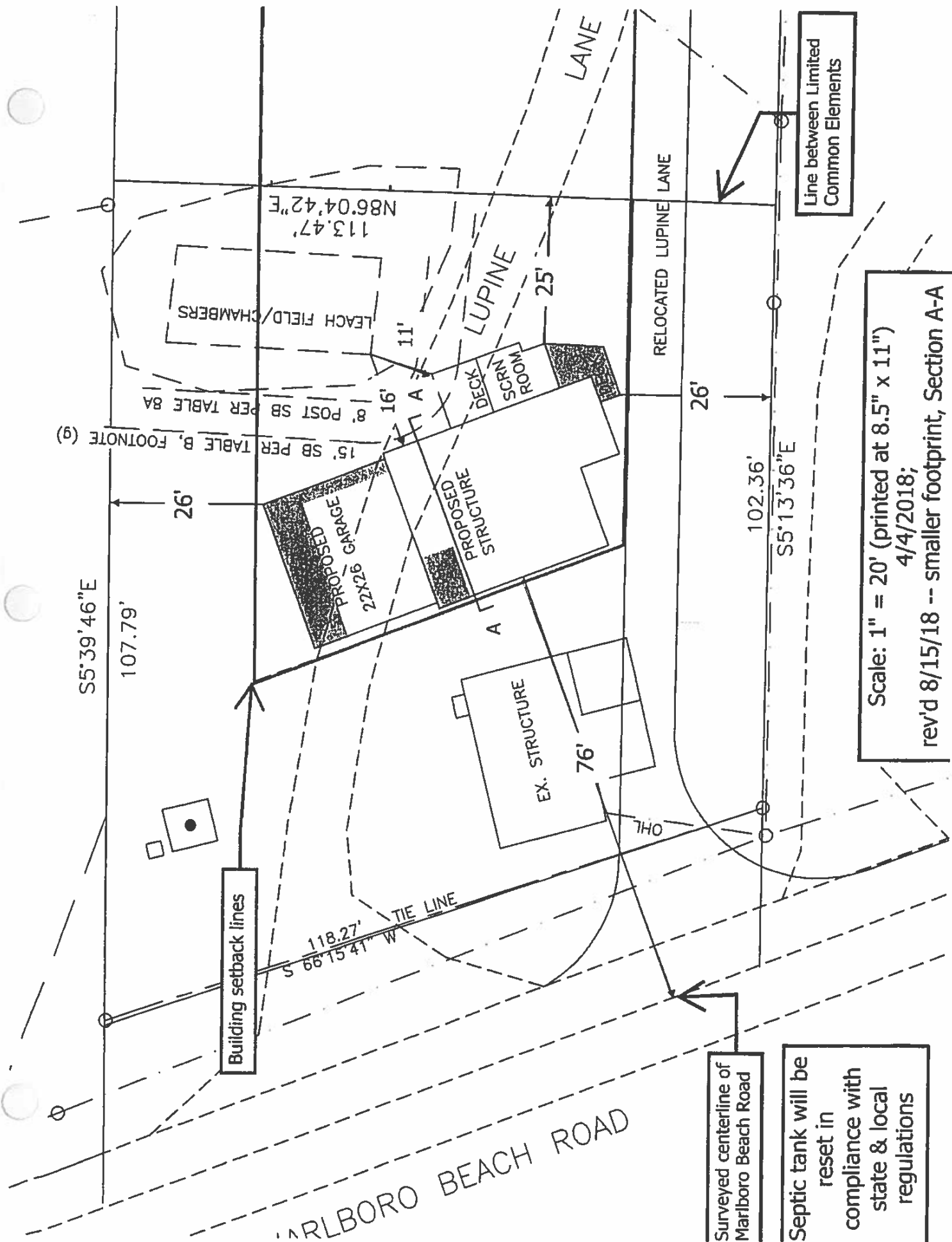
Thomas N. True, P.E., L.S.
cell: 603-714-5668
text: 6037145668@vtext.com

"true \trü \ adj 1: the quality or state of being accurate."

No recent chats
Start a new one

2 Attachments





Building setback lines

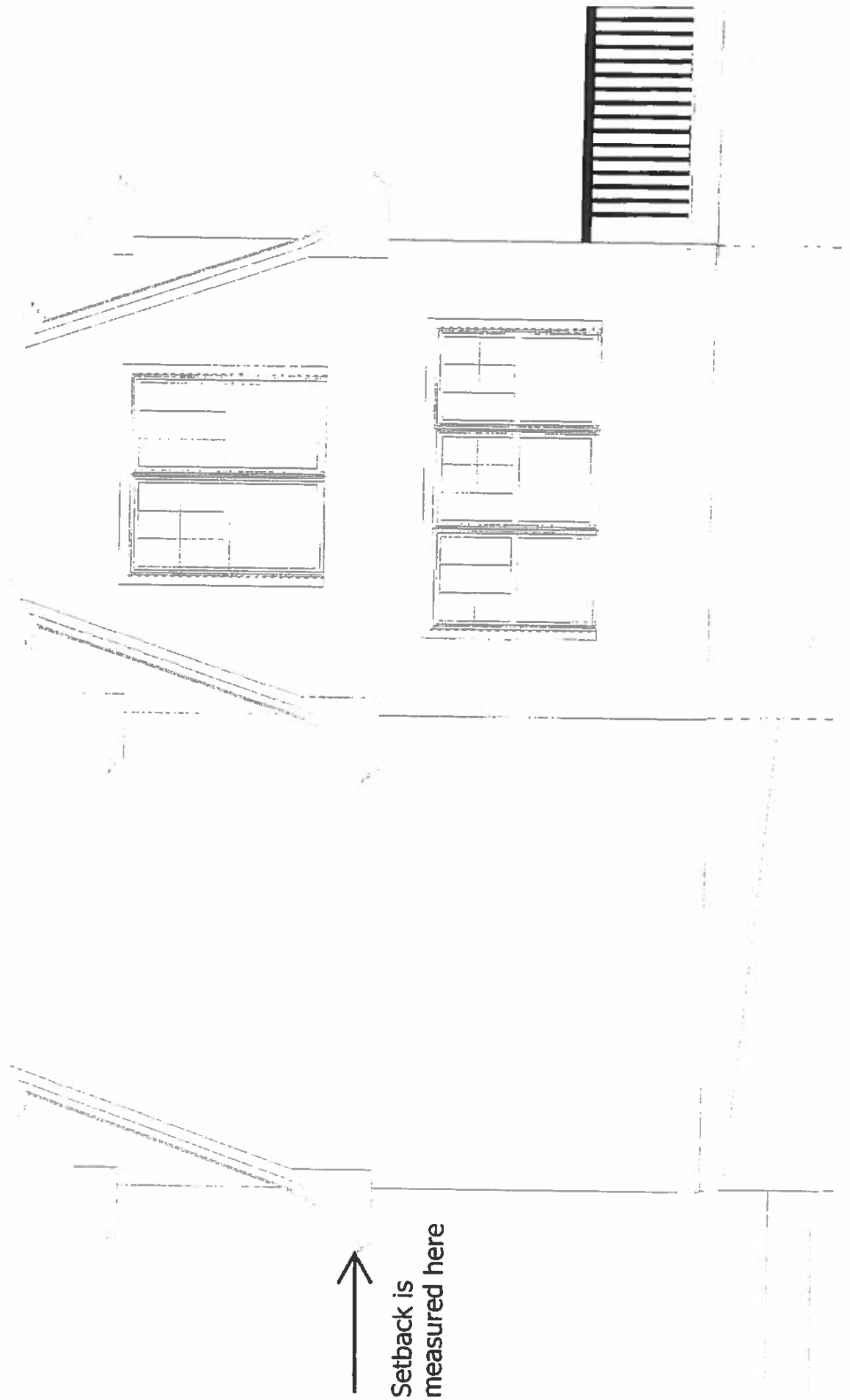
Surveyed centerline of Marlboro Beach Road

Septic tank will be reset in compliance with state & local regulations

Scale: 1" = 20' (printed at 8.5" x 11")
4/4/2018;
rev'd 8/15/18 -- smaller footprint, Section A-A

Line between Limited Common Elements

SECTION A



MARLBORO BEACH ROAD

Septic tank will be reset in compliance with state & local regulations

Surveyed centerline of Marlboro Beach Road

Building setback lines

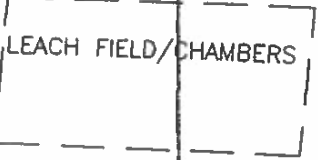
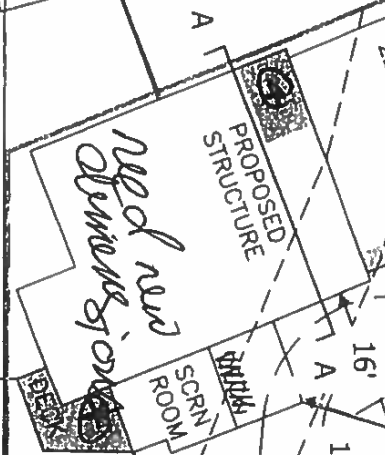
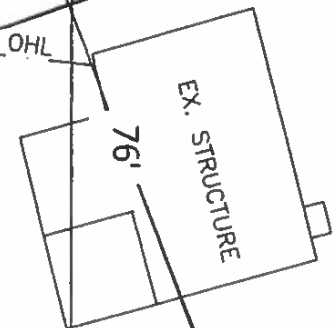
* Highlighted areas are smaller than original permit issued

S5:39'46"E

Handwritten notes and sketches on the right side of the plan, including a large 'N' and various scribbles.

Scale: 1" = 20' (printed at 8.5" x 11")
4/4/2018;
rev'd 8/15/18 -- smaller footprint, Section A-A

Line between Limited Common Elements



1 of 2
8/15/18

Tom & Kathy True

(603) 714-5668 or tntrue@gmail.com
(603) 759-3764 or kathryntrue@gmail.com

Rebecca -

Please find attached our revised site plan for your review and approval. Because of the new orientation we have our architect working frantically to reconfigure the interior layout and thus we are not ready to submit the internal plumbing permit application. If the internal plumbing permit is a prerequisite for issuing the building permit, please let us know so that we can make other accommodations.

A few comments about this plan:

- The setbacks and locations are based on a recent survey completed by Herrick & Salisbury.
- The existing structure will be razed in its entirety.
- Lupine Lane will be relocated in conjunction with this work.
- We have reduced the size of the garage from 22' x 26' to 26' x 26'. Do we need to modify our existing permit or is the existing permit satisfactory since the permitted footprint is larger?
- There is one small corner of the deck that will have at least one post within the 15' setback thus we would request consideration and approval to install a post(s) in this area in accordance with Table ~~8A~~ *7B*.
- The 25' setback to the Limited Common Element line is a "courtesy" to our downhill neighbors and is not a zoning requirement.

Thank you again for all your help through this process.

As always, please feel free to call with any questions.

Sincerely,



Kathryn R. True

E. WORK ADJACENT TO OR WITHIN WETLANDS AND WATER BODIES

First-Time Subsurface Wastewater Disposal Systems: First-time systems for previously undeveloped lots and other lots that do not qualify for replacement system criteria, installed in accordance with these Rules, pertaining to work adjacent to, or within, wetlands and water bodies do not require additional permits from the DEP (NRPA) or LURPC and are in accordance with Guidelines for Municipal Shoreland Zoning Ordinances. First-time systems that do not meet the minimum requirements of these Rules pertaining to work adjacent to, or within, wetlands and water bodies, may need a permit from DEP, LURPC and/or ACOE.

TABLE 7B
Setback distances for first-time systems

Site features vs. disposal system components of various sizes	Disposal Fields (total design flow)			Treatment Tanks (total design flow)		
	Less than 1,000 gpd	1,000 to less than 2,000 gpd	Over 2,000 gpd or more	Less than 1,000 gpd	1,000 to less than 2,000 gpd	Over 2,000 gpd or more
Wells with water usage of 2000 or more gpd or public water system wells	300 feet	300 feet	300 feet	150 feet	150 feet	150 feet
Potable Water Supply	100 feet [a]	200 feet	300 feet	50 feet	100 feet	100 feet
Water supply line	10 feet	18 20 feet	25 feet	10 feet	10 feet	10 feet
Water body/course, major [f] [h]	100 feet [c]	200 feet [c]	300 feet [c]	100 feet [d]	100 feet [d]	100 feet [d]
Water body/course, minor [e]	50 feet [e]	100 feet [e]	150 feet [e]	50 feet [d]	50 feet [d]	50 feet [d]
Drainage ditches	25 feet	5		25 feet	25 feet	25 feet
Edge of fill extension - Coastal wetlands, wetlands of special significance, significant vernal pools	25 feet	2		25 feet	25 feet	25 feet
Slopes greater than 3:1	10 feet [f]	1		N/A	N/A	N/A
No full basement [e.g. slab, columns, posts]	15 feet	2	Septic	8 feet	14 feet	20 feet
Full basement (below grade foundation, frost walls, columns)	20 feet [g]	30 feet	40 feet	8 feet	14 feet	20 feet
Property lines	10 feet [b]	18 feet [b]	20 feet [b]	10 feet	15 feet	20 feet
Burial sites or graveyard boundaries, measured from the toe of the fill extension	25 feet	25 feet	25 feet	25 feet	25 feet	25 feet
Stormwater infiltration systems	100 feet	200 feet	300 feet	100 feet	100 feet	100 feet
Wetponds, retention ponds, and detention basins (excavated below grade); Soil filters, underdrained swales, underdrained outlets, and similar structures	50 feet [i]	100 feet [i]	150 feet [i]	50 feet [i]	50 feet [i]	50 feet [i]
Stormwater detention basins (basin bottom at or above predevelopment grade)	25 feet	50 feet [i]	75 feet [i]	25 feet	25 feet	25 feet

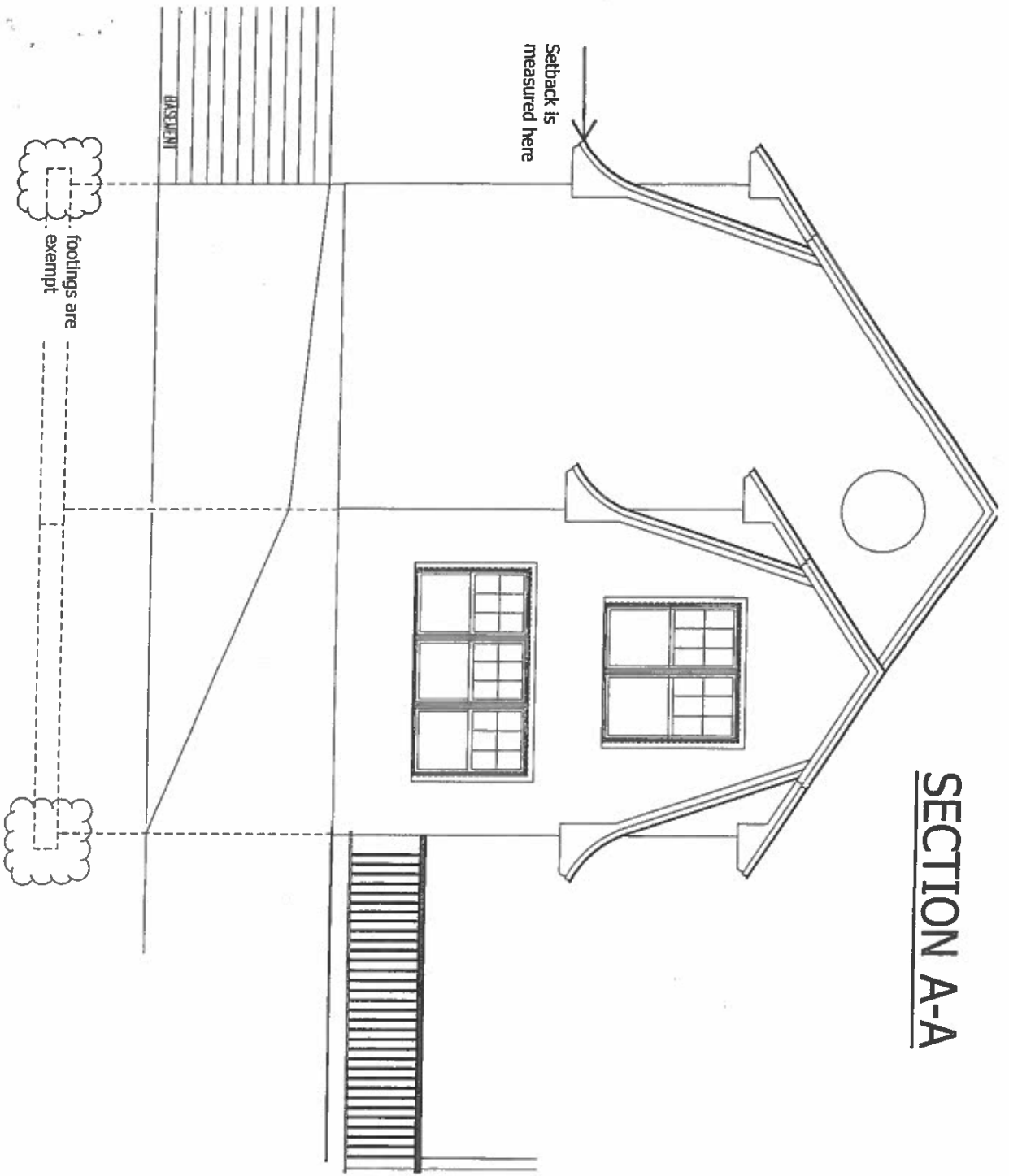
Notes: If the disposal system application meets the requirements of the following note(s) a First-Time System Variance is not required.

[a.] Potable water supply setbacks may be reduced, as prescribed in Section 7(A)(2).

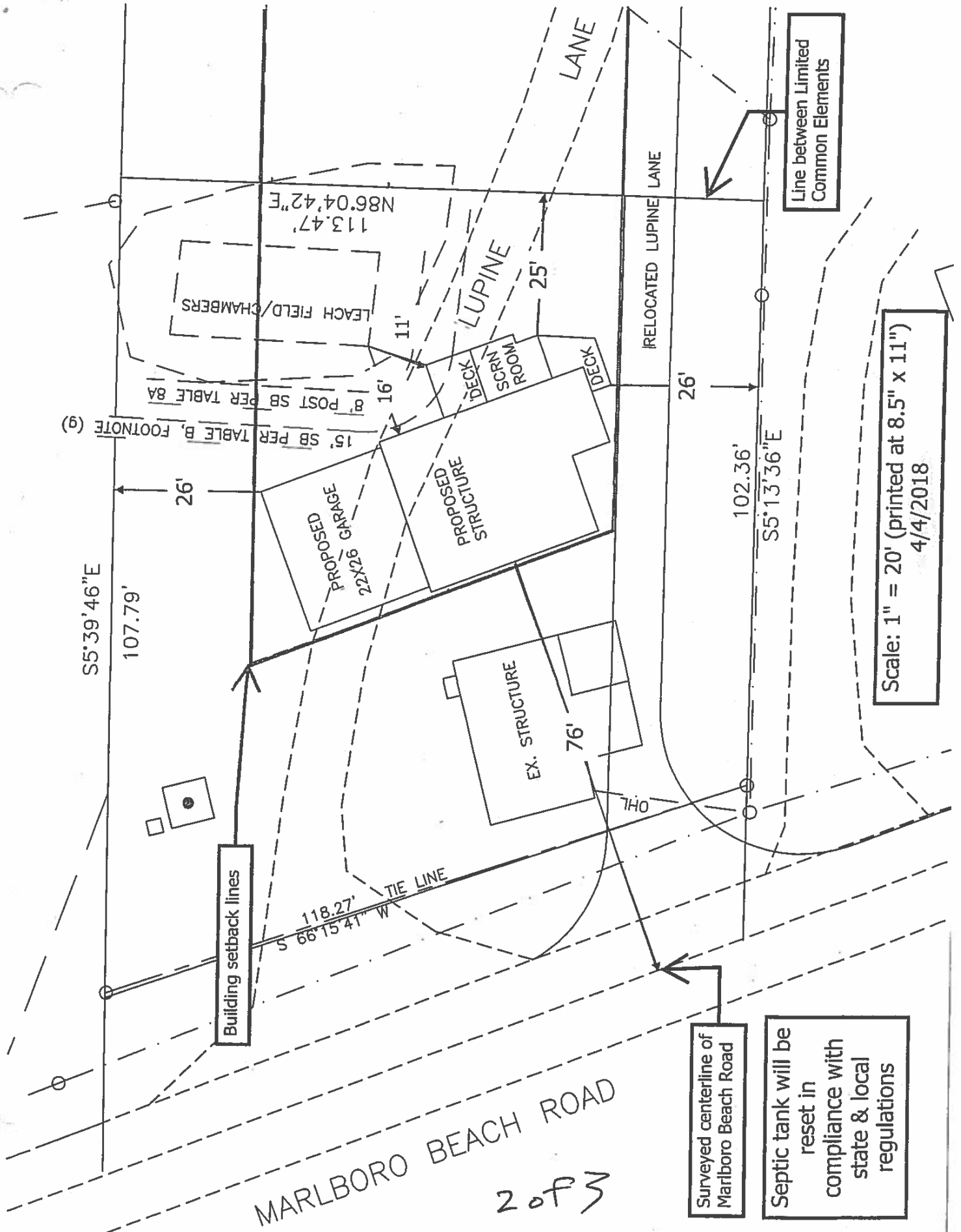
[b.] Additional setbacks may be needed to prevent fill material extensions from encroaching onto abutting property.

[c.] All ground disturbance or clearing of woody vegetation necessary for the installation of a subsurface wastewater disposal system that occurs within 100 feet of the normal high water mark of a major water body/course must maintain a minimum setback of 75 feet from the normal high water mark of the major water body/course and also must comply with these Rules pertaining to work adjacent to or within wetlands and water bodies (for more details see Section 12(4)(6)).

SECTION A-A

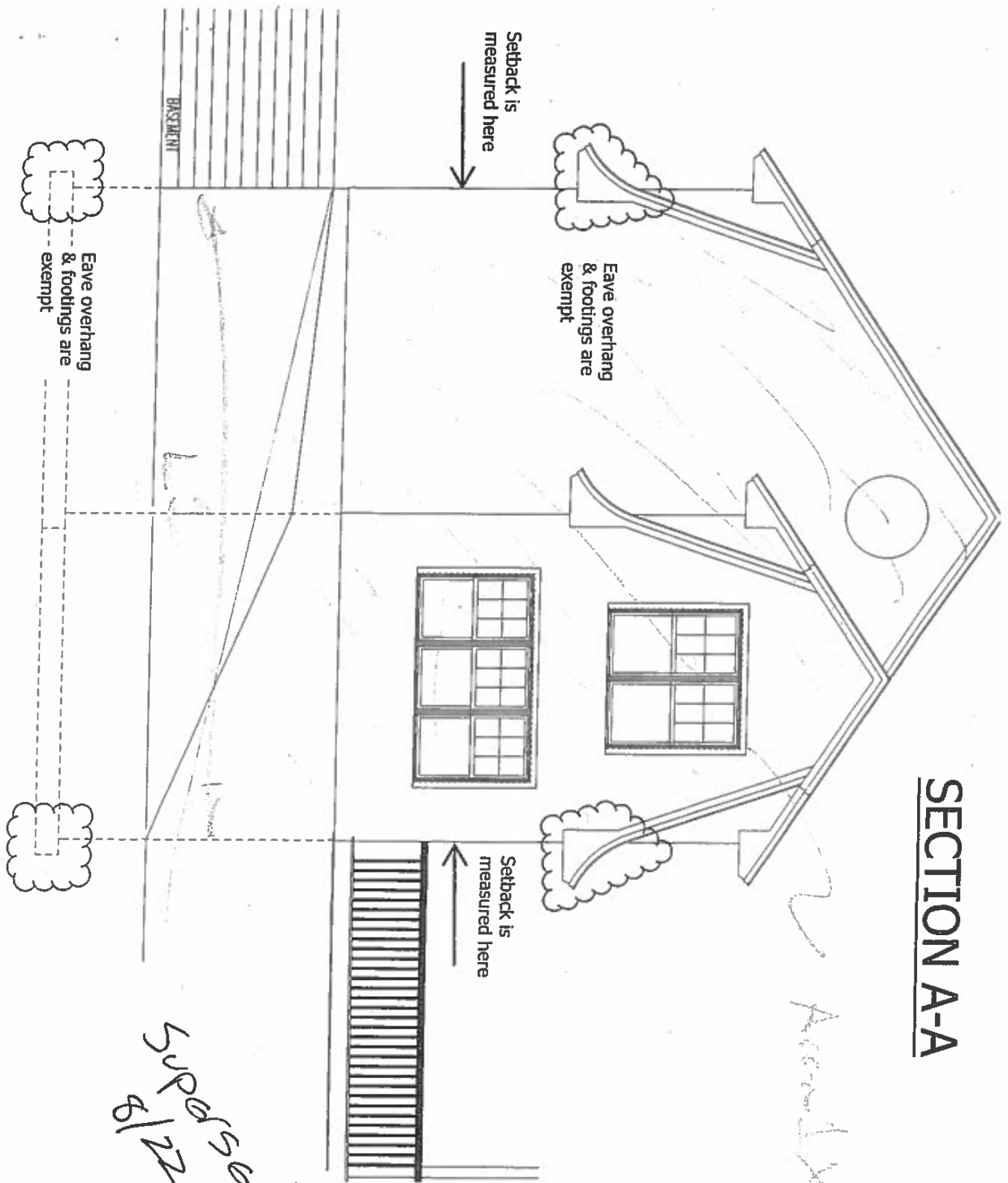


2 of 2
8/15/18



Scale: 1" = 20' (printed at 8.5" x 11")
4/4/2018

SECTION A-A



50' x 12' 0"

3 of 3

11' 0" x 11' 0"

Tom & Kathy True

(603) 714-5668 or tntrue@gmail.com
(603) 759-3764 or kathryntrue@gmail.com

Rebecca -

Please find attached our revised site plan for your review and approval. Because of the new orientation we have our architect working frantically to reconfigure the interior layout and thus we are not ready to submit the internal plumbing permit application. If the internal plumbing permit is a prerequisite for issuing the building permit, please let us know so that we can make other accommodations.

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- ✓ Lupine Lane will be relocated in conjunction with this work.

- 245
- We have reduced the size of the garage from 22' x 26' to 26' x 26'. Do we need to modify our existing permit or is the existing permit satisfactory since the permitted footprint is larger?

- There is one small corner of the deck that will have at least one post within the 15' setback thus we would request consideration and approval to install a post(s) in this area in accordance with Table 8A.

- ✓ The 25' setback to the Limited Common Element line is a "courtesy" to our downhill neighbors and is not a zoning requirement.

Thank you again for all your help through this process.

As always, please feel free to call with any questions.

Sincerely,



Kathryn R. True

Average Daily Traffic (ADT): The number of vehicles per day that enter and exit the premises or travel over a specific

Base Flood: The flood with a 1 percent chance of being equaled or exceeded in any given year, commonly called the 100-year flood.

Basement: Any area of a building below its floor subgrade (below ground level) on all sides.

Bed and Breakfast: Any transient lodging or boarding and lodging are provided and offered to the public by the proprietor or owner for less than 30 days. This dwelling shall also be the full-time, permanent residence of the proprietor or owner; otherwise, it shall be classified as a hotel/motel. There shall be no provisions for individual guest room.

Boarding/Lodging Facility: A building or structure where lodging and/or meals are provided for compensation for a period of less than one week, and where a family residing in the building acts as proprietor or owner. *Building Height* If a family residing in the building cannot be met, the building shall be classified as a boarding house. There shall be no provisions for cooking in any individual guest room.

Buffer zone: trees, hedges, fencing, or other vegetative barrier in keeping with the character of the natural surroundings which provides a visual and auditory screen between a structure or lot and another structure, lot, or street.

Building: Any 3 dimensional structure or enclosure by any building materials or any space for any use or occupancy, temporary or permanent, including but not limited to swimming pools, foundations or pilings in the ground and all parts of any kind of structure above ground including decks, railings, dormers, and stairs, and excluding sidewalks, fences, driveways, electrical transmission and distribution lines, and field or garden walls or embankment retaining walls.

~~Building Height: The vertical distance between the highest point of the structure and the average final grade around the foundation, or the average grade of the original ground adjoining the building, whichever is greater.~~

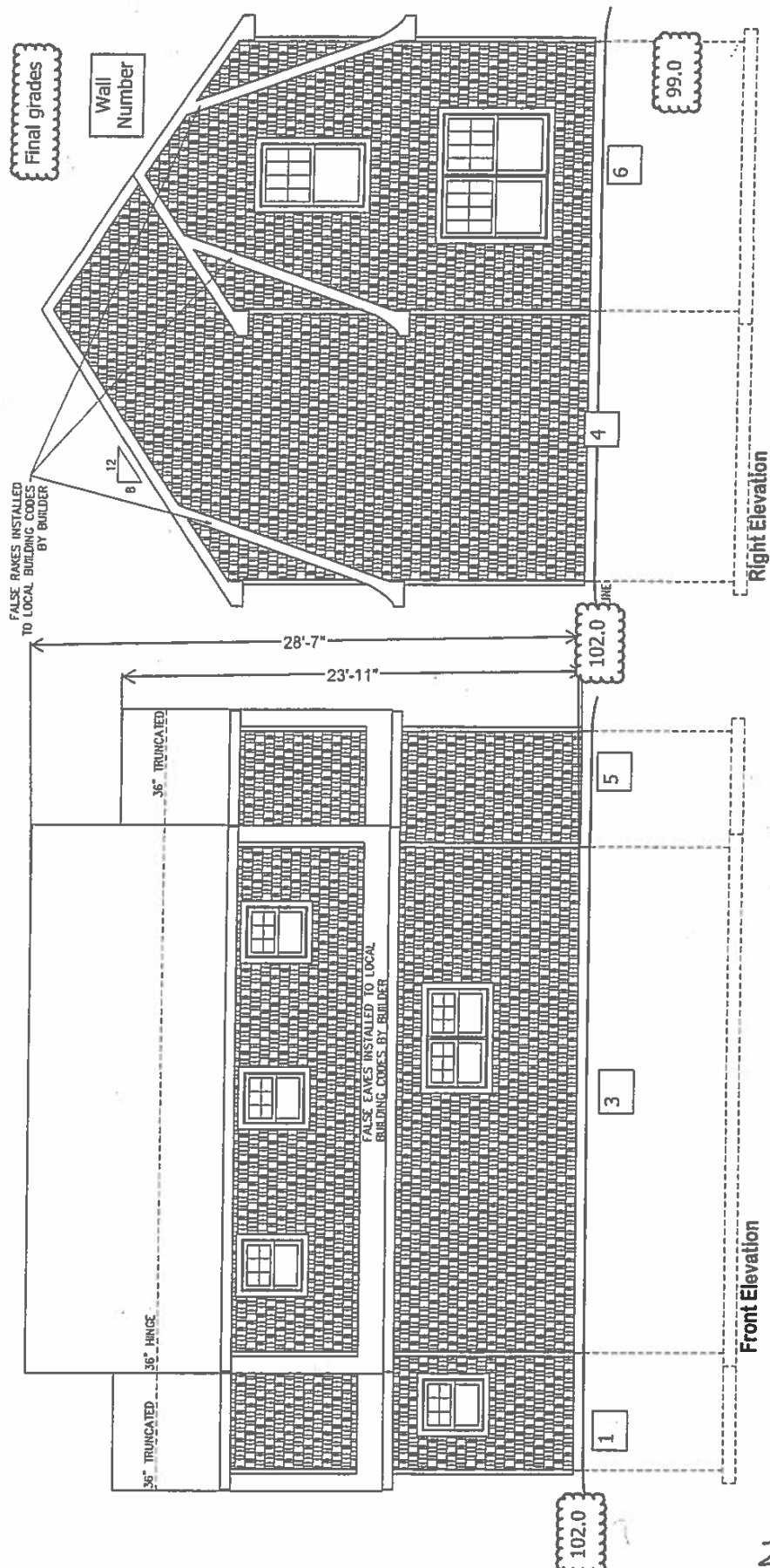
Business and Professional Offices: The place of business of doctors, lawyers, accountants, financial advisors, architects, surveyors, real estate and insurance businesses, psychiatrists, counselors, and the like or in which a business conducts its administrative, financial or clerical operations including banks and other financial services, but not retail sales nor activities utilizing trucks on site as part of the business operation.

Campground: Land upon which one or more tents are erected or trailers or other shelter are parked for temporary use for a fee or two or more sites on the same property arranged specifically for that purpose.

Cemetery: Property used for the interring of the dead.

Church, Synagogue and Mosque: A building or structure, or group of buildings or structures, designed, primarily intended and used for the conduct of religious services.

Club: Any voluntary association of persons organized for social, religious, benevolent, literary, scientific, or political purposes,; whose facilities, especially a clubhouse, are open to members and guests only and not the general public; and not engaged in activities customarily carried on by a



**True Residence
by Coastal Builders**

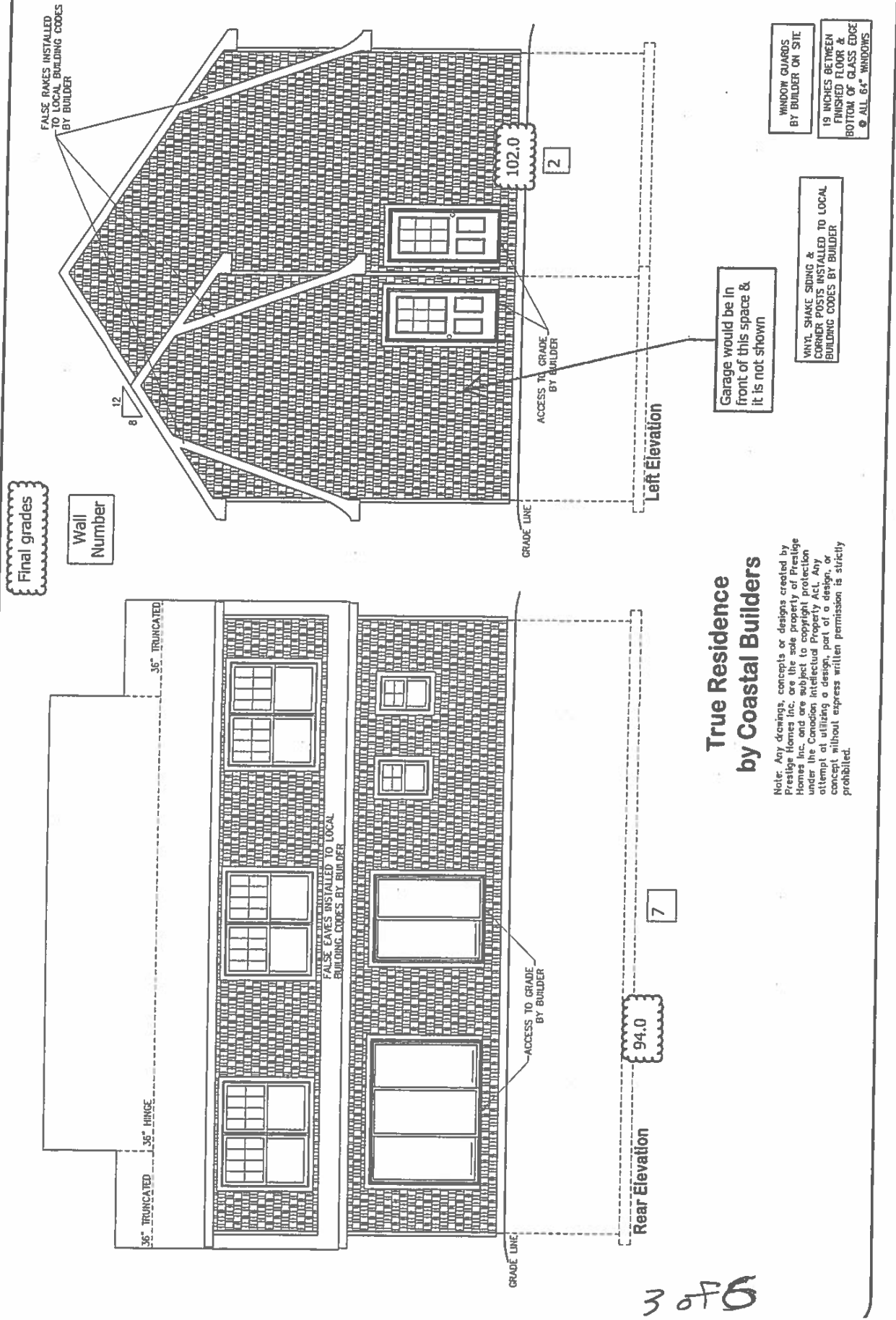
Building Height (from Lamaine ordinance): The vertical distance between the highest point of the structure and the average final grade around the foundation, or the average grade of the original ground adjoining the building, whichever is greater

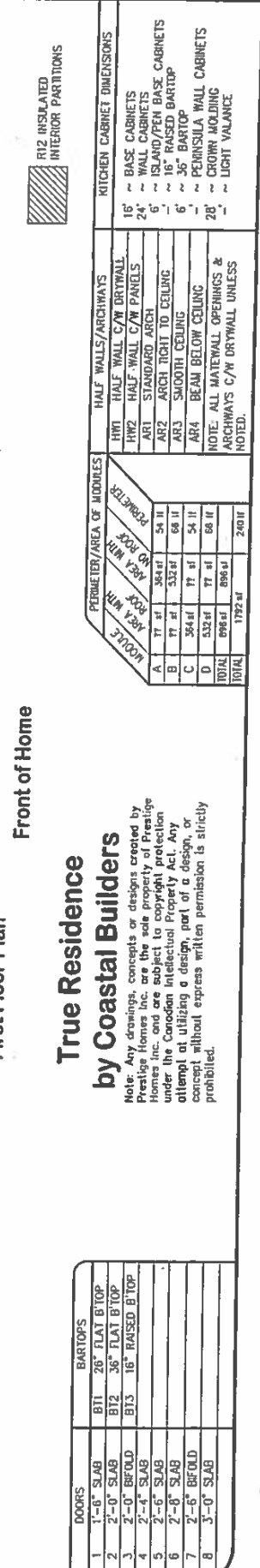
Note: Any drawings, concepts or designs created by Prestige Homes Inc. are the sole property of Prestige Homes Inc. and are subject to copyright protection under the Canadian Intellectual Property Act. Any attempt at utilizing a design, part of a design, or concept without express written permission is strictly prohibited.

**WINDOW GUARDS
BY BUILDER ON SITE**

19 INCHES BETWEEN
FINISHED FLOOR &
BOTTOM OF GLASS EDGE
• ALL 64" WINDOWS

VINYL SHAKE SIDING &
CORNER POSTS INSTALLED TO LOCAL
BUILDING CODES BY BUILDER





DOORS		BARTOPS	
1	1'-6" SLAB	B11	26" FLAT B'TOP
2	2'-0" SLAB	B12	36" FLAT B'TOP
3	2'-0" B'FOLD	B13	16" RAISED B'TOP
4	2'-4" SLAB		
5	2'-6" SLAB		
6	2'-8" SLAB		
7	2'-6" B'FOLD		
8	3'-0" SLAB		

FF elevation 103.2

Wall Number	Wall Length	Final grades		Average	Weighted Average (Wall Length X Average Final Grade)
		High	Low		
1	6	102	102	102	612
2	14	102	102	102	1,428
3	26	102	102	102	2,652
4	14	102	102	102	1,428
5	6	102	102	102	612
6	14	102	99	100.5	1,407
7	38	94	94	94	3,572
8	16	102	102	102	1,632
9	24	102	102	102	2,448
10	16	102	102	102	1,632
11	10	102	102	102	1,020

Perimeter
(total wall length)

184

Average final grade at foundation =

100.2

Elevation of peak =

131.2

Building Height =

31.0

GRADE PLANE DETERMINATION WORKSHEET

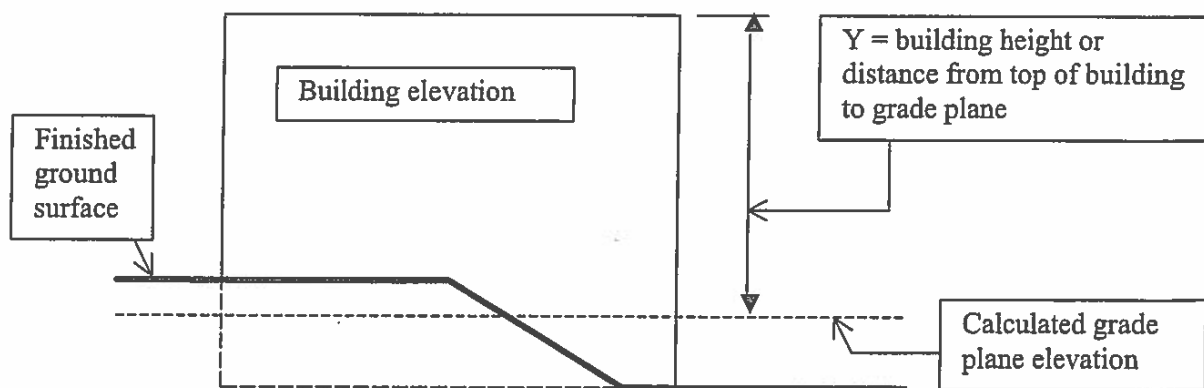
[illegible]

Total of all wall lengths (building perimeter) = _____ Feet

Total of all wall areas from above table = _____ Square feet

Building height Y = (Total wall area / Total wall length) = _____ Feet

Permitted building height from Table 503 including modifications to building height within section 504 = _____ Feet (This value must be equal to or greater than the value "Y" calculated above.)





Thomas True <tnt1pe@gmail.com>

114 Marlboro Beach Road

1 message

Thomas True <tnt1pe@gmail.com>
To: Rebecca Albright <Town@lamoine-me.gov>

Wed, Aug 29, 2018 at 11:32 AM

It's all cleaned up now but this is what it looked like near the end.



PANO_20180824_115032.jpg
1709K



Thomas True <tnt1pe@gmail.com>

114 Marlboro Beach Road

1 message

Thomas True <tnt1pe@gmail.com>

Wed, Oct 31, 2018 at 12:39 PM

To: Rebecca Ann Albright <dreaminadrum@gmail.com>

Attached is our completed application form. I included fixtures that will be roughed into the basement for some future use, as well as what will come with the modular.

I think you said the fee was \$10/fixture, or in this case \$180; is that correct?

Thanks again for your help.

Thomas N. True, P.E., L.S.

cell: 603-714-5668

text: 6037145668@vtext.com

"true \trü \ adj 1: the quality or state of being accurate."

***** 6037145668@vtext.com *****



True Plumbing Permit.pdf

117K

PLUMBING APPLICATION

PROPERTY ADDRESS

Town or Village: Lamoine

Street or Subdivision: Lot #114 Marlboro Beach Road

PROPERTY OWNER(S) NAME

Last: True First: Kathryn

Applicant Name: same

Mailing Address of Owner/Applicant (if Different): 4608 Windsor Dr, Flowery Branch, GA 30542

Owner/Applicant Statement

I certify that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Local Plumbing Inspector(s) to deny a permit.

Kathryn R. True 10/31/18
Signature of Owner/Applicant Date

Department of Health and Human Services
Division of Environmental Health

Town/City: Lamoine Permit #: 1927

Date Permit Issued: 11 Fee: \$ 170 Double Fee Charged []

Local Plumbing Inspector Signature: Sebern O'Brien L.P.I. #: 394

Fee: \$ 10 State min. fee \$ Locally adopted fee

Copy: [] Owner [] Town [] State Map #: 16 Lot #: 48 Local

The Internal Plumbing Fixtures and Piping shall not be installed until a Permit is issued by the Local Plumbing Inspector. The Permit shall authorize the owner or installer to install the plumbing system in accordance with this application and the Maine Subsurface Wastewater Disposal Rules.

Caution: Inspection Required

I have inspected the installation authorized above and found it to be in compliance with the Maine Plumbing Rules Application.

Date Approved (Rough-In)

LPI Signature

Date Approved (Final)

PERMIT INFORMATION

This Application is for

1. ☐ NEW PLUMBING
2. ☐ RELOCATED PLUMBING

Type of Structure to be Served

1. ☒ SINGLE FAMILY RESIDENCE
2. ☐ MODULAR OR MOBILE HOME
3. ☐ MULTIPLE FAMILY DWELLING
4. ☐ OTHER-SPECIFY _____

Plumbing to be installed by:

1. ☒ MASTER PLUMBER
2. ☐ OIL BURNERMAN
3. ☐ MFG'D HOUSING DEALER / MECHANIC
4. ☐ PUBLIC UTILITY EMPLOYEE
5. ☐ PROPERTY OWNER

LICENSE # [MS 90009995]

Hook-Up & Piping Relocation Maximum of 1 Hook-Up	Column 2 Type of Fixture	Column 1 Type of Fixture
<input type="checkbox"/> HOOK-UP: to public sewer by those cases where the connection is not regulated and inspected by the local sanitary district.	<input checked="" type="checkbox"/> 2 Hosebib / Sillcock	<input checked="" type="checkbox"/> 2 Bathtub (and Shower)
	<input type="checkbox"/> Floor Drain	<input type="checkbox"/> Shower (separate)
	<input type="checkbox"/> Urinal	<input checked="" type="checkbox"/> 2 Sink
	<input type="checkbox"/> Drinking Fountain	<input checked="" type="checkbox"/> 4 Wash Basin
	<input type="checkbox"/> Indirect Waste	<input checked="" type="checkbox"/> 4 Water Closet (Toilet)
<input checked="" type="checkbox"/> 1 HOOK-UP: to an existing subsurface wastewater disposal system	<input checked="" type="checkbox"/> 1 Water Treatment Softener, Filter, Etc.	<input checked="" type="checkbox"/> 2 Clothes Washer
	<input type="checkbox"/> Grease / Oil Separator	<input type="checkbox"/> Dish Washer
	<input type="checkbox"/> Roof Drain	<input type="checkbox"/> Garbage Disposal
<input type="checkbox"/> PIPING RELOCATION: of sanitary lines, drains, and piping without new fixtures.	<input type="checkbox"/> Bidet	<input type="checkbox"/> Laundry Tub
	<input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> 1 Water Heater
	<input checked="" type="checkbox"/> 3 Fixtures (Subtotal) Column 2	<input checked="" type="checkbox"/> 15 Fixtures (Subtotal) Column 1
		<input checked="" type="checkbox"/> 3 Fixtures (Subtotal) Column 2
OR		<input checked="" type="checkbox"/> 18 TOTAL FIXTURES
<input type="checkbox"/> TRANSFER FEE (\$10.00)		<input checked="" type="checkbox"/> 15 Fixtures Fee
		<input type="checkbox"/> Transfer Fee
	SEE PERMIT FEE SCHEDULE FOR CALCULATING FEE	<input checked="" type="checkbox"/> 10 Hook-Up & Relocation Fee
		<input checked="" type="checkbox"/> 1722 PERMIT FEE (TOTAL)
	<input type="checkbox"/> Owner <input type="checkbox"/> Town Copy <input type="checkbox"/> State Copy	

PERMIT # 1

11/21/2018
exhibit #3

**REPLACES and
MODIFIES**

PERMIT #18-7

Kathryn True house & garage & deck

Lupine Lane

**Deck, house & garage are modified by this permit (#18-73), making HOUSE
and DECK and GARGE smaller than the original April 4th, 2018 (#18-73)
PERMIT**



tnt1pe@gmail.com

Compose

Inbox

Starred

Snoozed

Sent

Drafts

More



beck

6



Thomas True <tnt1pe@gmail.com>

Aug 15

to me

Please find attached the following:

"Setback clarification" -- revised to reflect that it is measured to the eave discussed

The approved site plan showing areas (highlighted in orange) that will be

Please let me know if there is anything else that you need.

Thomas N. True, P.E., L.S.

cell: 603-714-5668

text: 6037145668@vtext.com

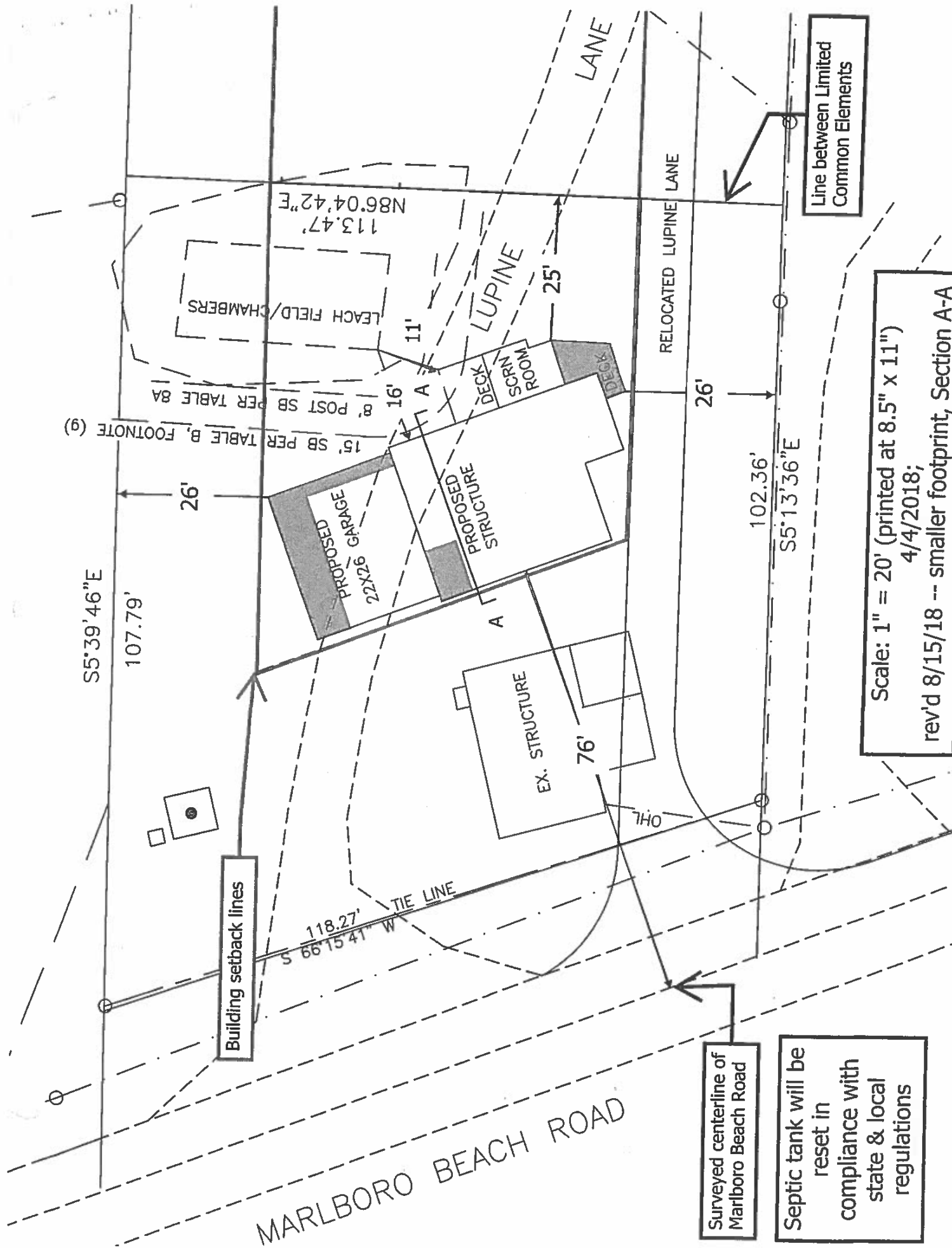
"true \trü \ adj 1: the quality or state of being accurate."

No recent chats

Start a new one

2 Attachments



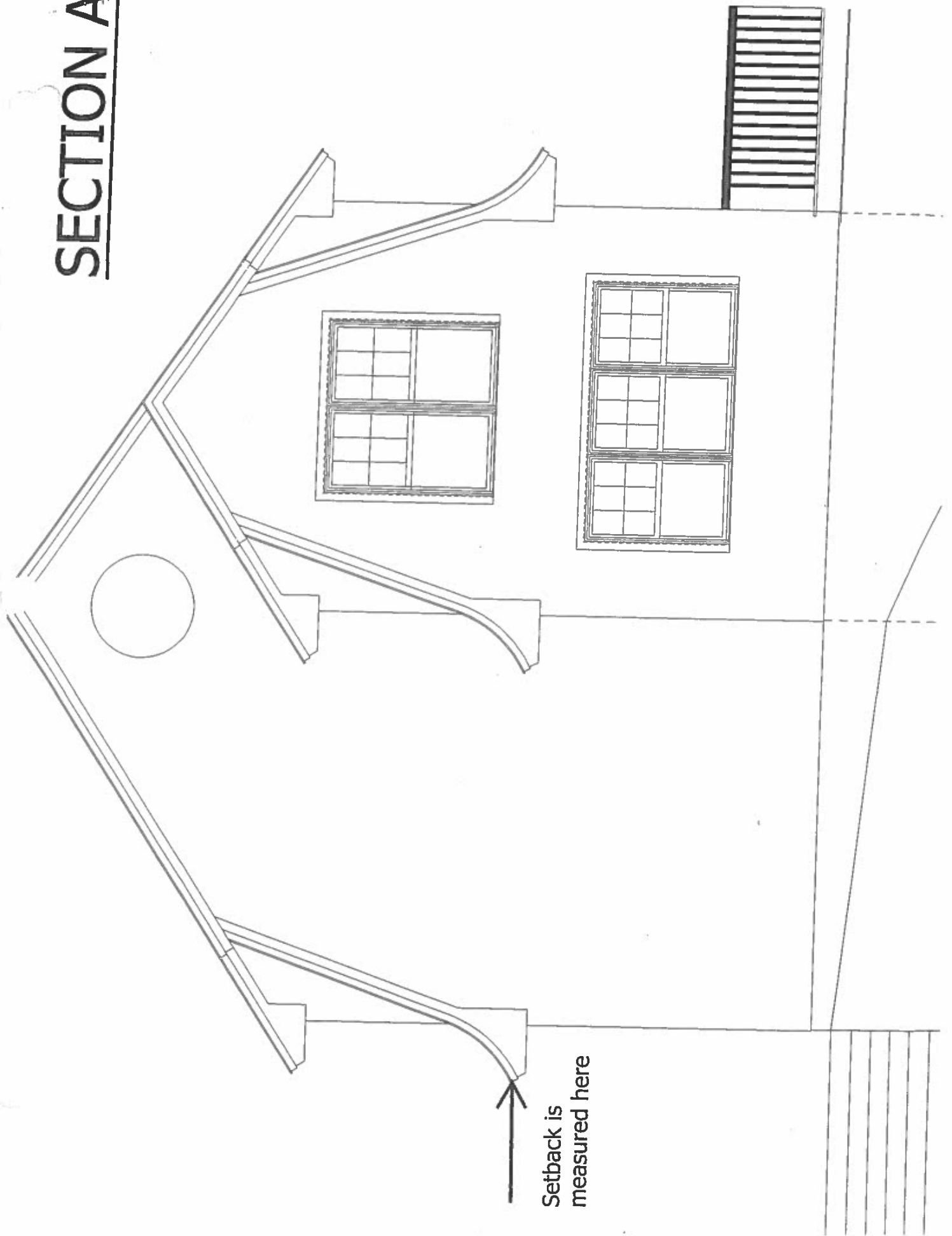


Scale: 1" = 20' (printed at 8.5" x 11")
 4/4/2018;
 rev'd 8/15/18 -- smaller footprint, Section A-A

Surveyed centerline of
 Marlboro Beach Road

Septic tank will be
 reset in
 compliance with
 state & local
 regulations

SECTION A



BARBORO BEACH ROAD

unurveyed centerline of
Barboro Beach Road

septic tank will be
reset in
compliance with
state & local
regulations

Building setback lines

(*) Highlighted areas
are smaller than 26'
original permit issued

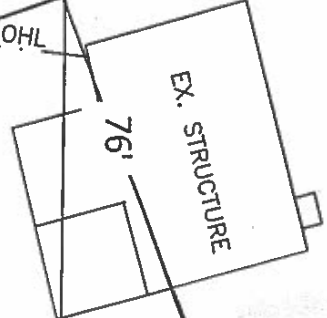
S5:39'46"E



107.79'

118.27'
S 66°15'41" W

TIE LINE



SB PER TABLE B, FOOTNOTE (a)

SB PER TABLE 6A

LEACH FIELD/CHAMBERS

113.47'
N86°04'42"E

102.36'
S5°13'36"E

26'

REDACTED

LANE

Scale: 1" = 20' (printed at 8.5" x 11")
4/4/2018;
rev'd 8/15/18 -- smaller footprint, Section A-A

Line between Limited
Common Elements

1 of 2
8/15/18

PERMIT # 18.

11/22/2018
displayed on
exhibit #4 Town Web

REPLACES and

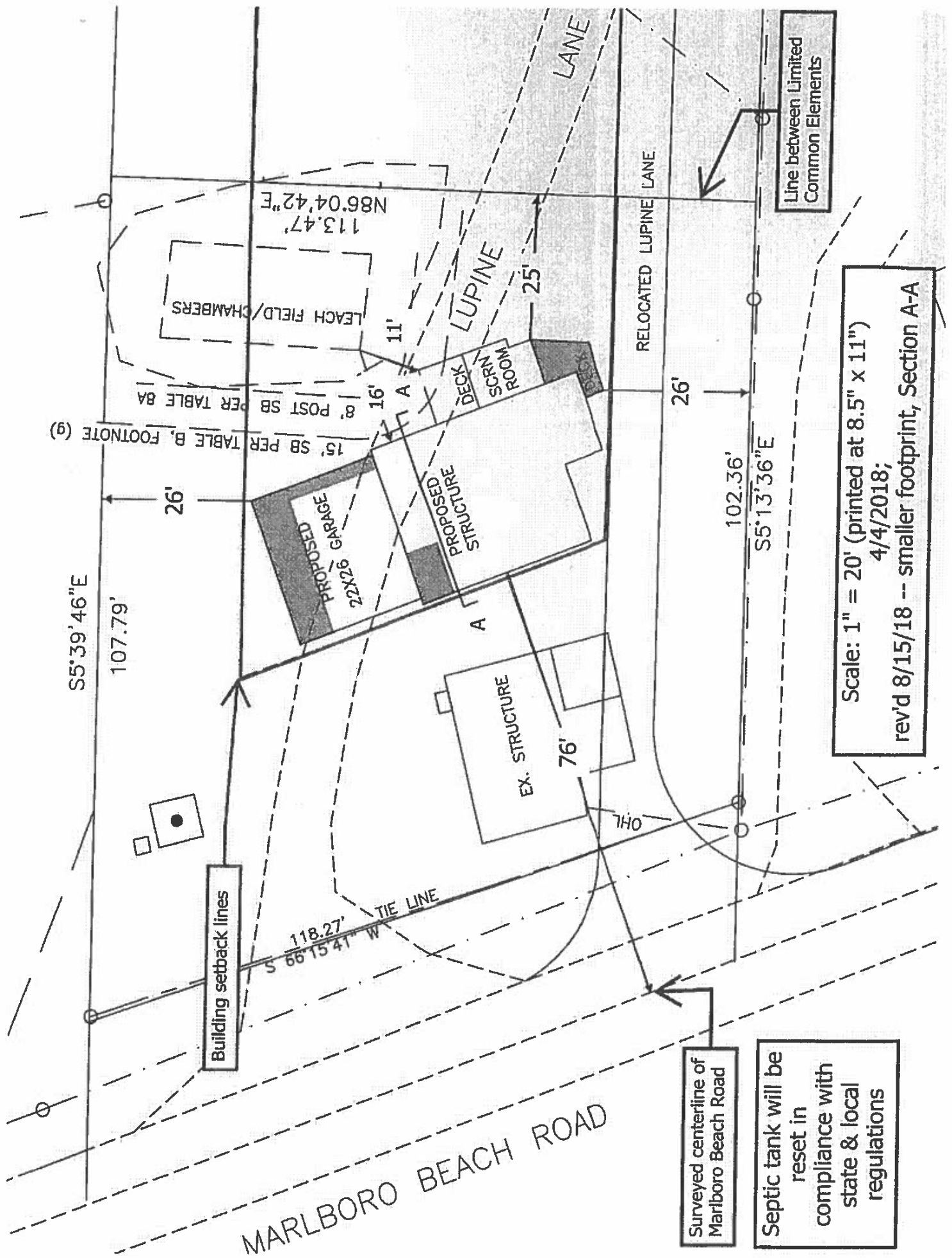
MODIFIES

PERMIT #18-7

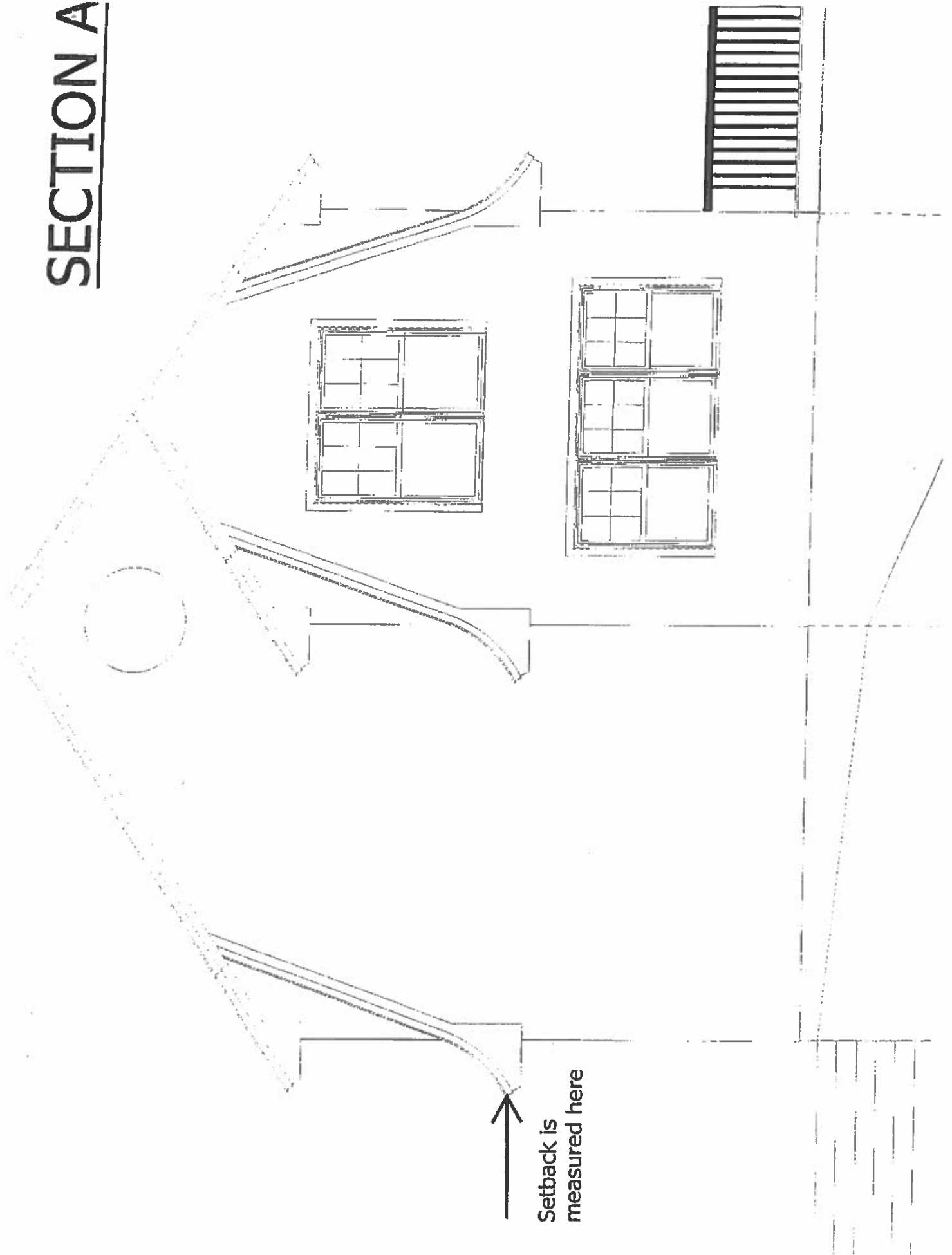
Kathryn True house & garage & deck

Lupine Lane

**Deck, house & garage are modified by this permit (#18-73), making HOUSE
and DECK and GARGE smaller than the original April 4th, 2018 (#18-73)
PERMIT**



SECTION A



On March 12th, 2019
Alan Moldauer came in to
the town office to complain
in person to myself (Rebecca
Albright) and John Holt, who
just happened to be in the
building.

This verbal complaint
led to the site visits + measure-
ments of the Kathryn + Tom
True house on Lupine Lane,

Rebecca Albright, CEO

exhibit
#15

Memo from Code Office

March 13, 2019

Rebecca Albright, CEO

Today, with the help of John Holt, I measured the height of the True property (Map 16 Lot 48-1). At its tallest point it stand about 34.5 feet tall.

A handwritten signature in black ink, appearing to read 'Rebecca Albright', with a long horizontal flourish extending to the right.

Rebecca Albright, CEO

Exhibit #.6

exhibit
7

Alan B. Moldawer
15 Brown Lane
Lamoine, Maine 04605

March 18, 2018

Mr. John Holt, Planning Board Chair
Ms. Rebecca Albright, Code Enforcement Officer
Town of Lamoine
Lamoine, Maine 04605

Re: Building Permit for Lot 48

Dear Mr. Holt and Ms. Albright:

I am writing to complain to the Town over the issuance of a Building Permit for the construction of a new, three story, 2,600 square foot house with planned 400+ square foot garage and 330+ square foot deck on Lot 48 in Tax Map 16 of Lamoine (Marlboro). The house is owned by Mr. and Mrs. True. The Lot is owned by a condominium association in which the Trues are part owners. A Building Permit should not have been issued for the dwelling.

Ostensibly, the house being built was intended to replace a small, 700-900 square foot, one-story seasonal cottage owned by the Trues and known as the "Candy Cottage" which was once located on Lot 48-1 before that lot was combined in 2018 with three others (Lots 48-2, 48-3 and 48-4 owned by Mrs. True's siblings), to form a single lot, Lot 48, under condominium form of ownership. The Candy Cottage, which could have remained under Lamoine Zoning Ordinance, was torn down last year by the owners, Mr. and Mrs. True. Nothing has been rebuilt on that location.

Before addressing the likely violations of the Lamoine Zoning Ordinance, the notion of grandfathering should be addressed. Nothing of relevance in the Ordinance speaks to "grandfathering" except as to a "Non-Conforming Structure" (the Candy Cottage), which would have been allowed to remain, and a "Non-Conforming Lot of Record", which had to exist of record prior to 1999, in order to be built upon. Common sense, if not the Ordinance itself, should have dictated that a Building Permit should not have been issued to replace a very small Non-Conforming Structure on a Non-Conforming Lot with a new house, garage and deck more than five (5) times the size of the original structure on a newly-created Non-Conforming Lot 48. Aside from the obvious disregard that the owners have for the character of the neighborhood and sight lines of their neighbors, the new construction makes Lot 48, already greatly exceeding the

minimum lot size required per dwelling unit, significantly more in violation of the 40,000 square foot per dwelling unit standard, as well as the Lot Coverage limits in the Ordinance.¹

As the Town knows, Lot 48 is a "Non-Conforming Lot" in that there are now, with the new house and structures, four (4) dwellings located on it. Lot 48 contains only 79,200 square feet, enough under the Lot Standards of the Lamoine Zoning Ordinance for just one dwelling. Lot 48 is also Non-Conforming in that it has only 107 feet of frontage on Marlboro Beach Road. The fact that the owners combined their four (4) individual lots into a single lot and converted them into a condominium form of ownership under the Maine Condominium Act did nothing to alter the application of local building and land use ordinances to the underlying real property. In fact, it can be said, the conversion of the ownership of the four (4) separate Non-Conforming Lots (which themselves were not of record before 1976 or 1999) into one newly-created lot means that Lot 48 cannot be considered a "Non-Conforming Lot of Record" and there is nothing in the Ordinance, express or implied, to grant the owner the right to build another dwelling unit on it. Once razed, the right of the Candy Cottage to remain as a Non-Conforming Structure under the Ordinance ceased. Once ceased, there was no right conferred to the Trues to build a new house on Lot 48.

Restated, Lot 48 is not a "Non-Conforming Lot of Record" existing as of either 1976 or 1999 as defined in Section 5.H. of the Ordinance. At the time the Building Permit was issued, Lot 48 already had three (3) dwelling units on it, which exceeded the Lot Standards limitation of one dwelling unit per 40,000 square feet. The Candy Cottage was razed and, therefore, no longer qualified as a Non-Conforming Structure which would have been "*allowed to remain solely* because it was in lawful existence at the time the Ordinance was adopted." (emphasis added). Tearing it down did not "grandfather" to the owners of Lot 48 a right to build a fourth residence where Lot 48 does not have the Minimum Lot Size required—either in terms of square footage or road frontage.

Even if the Town were to disregard the fact that Lot 48 is now a single lot created in 2018 and to consider that the approximate 20,000 square feet that has been "assigned" or "allocated" to Mr. and Mrs. True as a Non-Conforming Lot of Record, a fiction that is not recognized in the Ordinance, a Building Permit should not have allowed the Trues to tear down a small, one-story seasonal cottage of 700-900 square feet and then start new construction of a three-story house almost 5 times the size of the Candy Cottage, that is to say, approximately 4,000 square feet of structure. The "Net Maximum Density" (40,000 sf per dwelling) on Lot 48 was already well-exceeded by the three remaining structures.

¹ The four (4) dwellings may also violate the Maximum Lot Coverage (25%) of Lot 48, including recent additions to one house, the new house, garage, deck and other structures, roadway, driveways and parking areas, but that is to be determined.

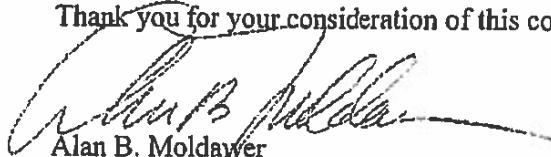
Height Restriction Is Likely Exceeded

Also, in an apparent effort to be able to see over the Harris' dwelling units located south of the new house, the builder built a very high foundation and artificially raised the grade surrounding the foundation. While it is difficult to know without trespassing upon the property, the Building Height of the house appears to exceed the 35 feet "Building Height" limit as defined in the Ordinance. The "Building Height" is the vertical distance from the highest point of the structure to the average finished grade or to the average original grade around the foundation, whichever is greater. Since the original grade, seen in the attached photos at the level of the private road with telephone poles and the architectural well feature, is well below the new, raised finished grade, the Building Height was required to be measured from the highest point of the house to the average of the original grade, not the finished grade. The Building Height measured from the top of the house to average original grade appears to be well more than 35 feet. It also is another reason not to grant a variance or exception to the owners to extend the proposed deck over the setback lines from their relocated roadway running up against the foundation.

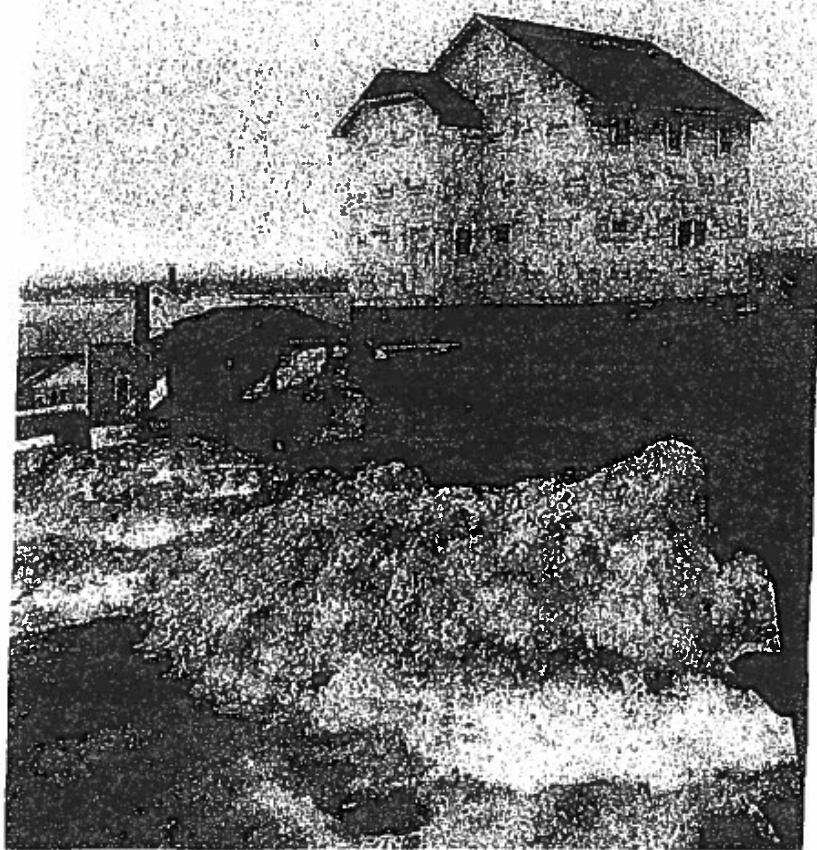
I do not know the True family and hope not to create animosities in the small settlement here known as Marlboro. However, the structure they are building shows little concern for their neighbors or the neighborhood, and the Town, going forward, should examine what it has done in apparent disregard for the letter and spirit of the Lamoine Zoning Ordinance, or, in the alternative, to consider changes to the Ordinance to prevent a repeat of the mistakes made here. I am not alone among those in Marlboro who have expressed concerns about this new construction. Better means of notice to surrounding property owners needs to be given before permits are issued on non-conforming lots or that involve non-conforming structures.

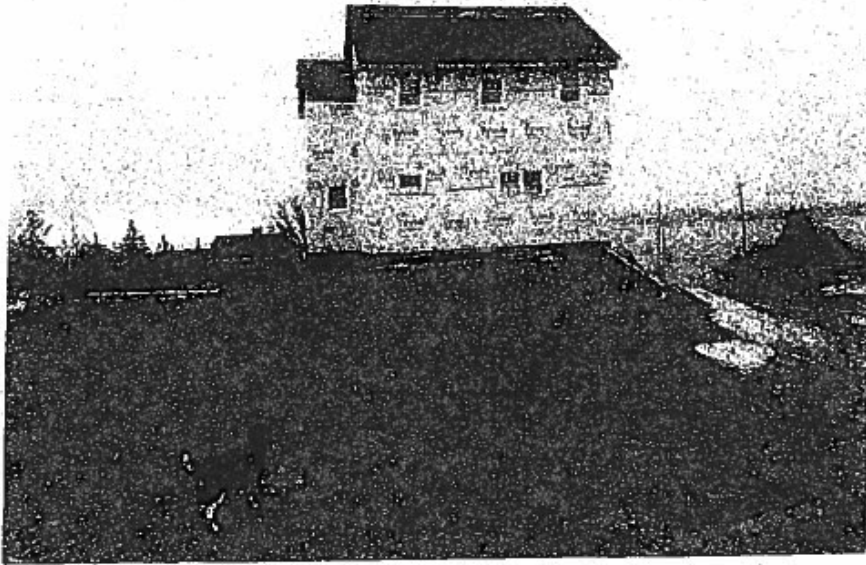
As always, I appreciate the courtesy and time the Code Enforcement Officer took to share with me the Town's permit file for Lot 48 and discuss my concerns.

Thank you for your consideration of this complaint.



Alan B. Moldaver
15 Brown Lane
Lamoine, Maine 04605







67-254/

Alan B. Moldawer
15 Brown Lane
Lamoine, Maine 04605

March 18, 2018

Mr. John Holt, Planning Board Chair
Ms. Rebecca Albright, Code Enforcement Officer
Town of Lamoine
Lamoine, Maine 04605

Re: Building Permit for Lot 48

Dear Mr. Holt and Ms. Albright:

I am writing to complain to the Town over the issuance of a Building Permit for the construction of a new, three story, 2,600 square foot house with planned 400+ square foot garage and 330+ square foot deck on Lot 48 in Tax Map 16 of Lamoine (Marlboro). The house is owned by Mr. and Mrs. True. The Lot is owned by a condominium association in which the Trues are part owners. A Building Permit should not have been issued for the dwelling.

Ostensibly, the house being built was intended to replace a small, 700-900 square foot, one-story seasonal cottage owned by the Trues and known as the "Candy Cottage" which was once located on Lot 48-1 before that lot was combined in 2018 with three others (Lots 48-2, 48-3 and 48-4 owned by Mrs. True's siblings), to form a single lot, Lot 48, under condominium form of ownership. The Candy Cottage, which could have remained under Lamoine Zoning Ordinance, was torn down last year by the owners, Mr. and Mrs. True. Nothing has been rebuilt on that location. - to achieve a building that is completely contributing

Before addressing the likely violations of the Lamoine Zoning Ordinance, the notion of grandfathering should be addressed. Nothing of relevance in the Ordinance speaks to "grandfathering" except as to a "Non-Conforming Structure" (the Candy Cottage), which would have been allowed to remain, and a "Non-Conforming Lot of Record", which had to exist of record prior to 1999, in order to be built upon. Common sense, if not the Ordinance itself, should have dictated that a Building Permit should not have been issued to replace a very small Non-Conforming Structure on a Non-Conforming Lot with a new house, garage and deck more than five (5) times the size of the original structure on a newly-created Non-Conforming Lot 48. Aside from the obvious disregard that the owners have for the character of the neighborhood and sight lines of their neighbors, the new construction makes Lot 48, already greatly exceeding the

however the Ordinance
NOT common sense dictates

not in violation
because grandfathered
non-conforming lot
of record

minimum lot size required per dwelling unit, significantly more in violation of the 40,000 square foot per dwelling unit standard, as well as the Lot Coverage limits in the Ordinance.¹

As the Town knows, Lot 48 is a "Non-Conforming Lot" in that there are now, with the new house and structures, four (4) dwellings located on it. Lot 48 contains only 79,200 square feet, enough under the Lot Standards of the Lamoine Zoning Ordinance for just one dwelling. Lot 48 is also Non-Conforming in that it has only 107 feet of frontage on Marlboro Beach Road. The fact that the owners combined their four (4) individual lots into a single lot and converted them into a condominium form of ownership under the Maine Condominium Act did nothing to alter the application of local building and land use ordinances to the underlying real property. In fact, it can be said, the conversion of the ownership of the four (4) separate Non-Conforming Lots (which themselves were not of record before 1976 or 1999) into one newly-created lot means that Lot 48 cannot be considered a "Non-Conforming Lot of Record" and there is nothing in the Ordinance, express or implied, to grant the owner the right to build another dwelling unit on it. Once razed, the right of the Candy Cottage to remain as a Non-Conforming Structure under the Ordinance ceased. Once ceased, there was no right conferred to the Trues to build a new house on Lot 48.

Restated, Lot 48 is not a "Non-Conforming Lot of Record" existing as of either 1976 or 1999 as defined in Section 5.H. of the Ordinance. At the time the Building Permit was issued, Lot 48 already had three (3) dwelling units on it, which exceeded the Lot Standards limitation of one dwelling unit per 40,000 square feet. The Candy Cottage was razed and, therefore, no longer qualified as a Non-Conforming Structure which would have been "allowed to remain solely because it was in lawful existence at the time the Ordinance was adopted." (emphasis added). Tearing it down did not "grandfather" to the owners of Lot 48 a right to build a fourth residence where Lot 48 does not have the Minimum Lot Size required—either in terms of square footage or road frontage.

Even if the Town were to disregard the fact that Lot 48 is now a single lot created in 2018 and to consider that the approximate 20,000 square feet that has been "assigned" or "allocated" to Mr. and Mrs. True as a Non-Conforming Lot of Record, a fiction that is not recognized in the Ordinance, a Building Permit should not have allowed the Trues to tear down a small, one-story seasonal cottage of 700-900 square feet and then start new construction of a three-story house almost 5 times the size of the Candy Cottage, that is to say, approximately 4,000 square feet of structure. The "Net Maximum Density" (40,000 sf per dwelling) on Lot 48 was already well-exceeded by the three remaining structures.

¹ The four (4) dwellings may also violate the Maximum Lot Coverage (25%) of Lot 48, including recent additions to one house, the new house, garage, deck and other structures, roadway, driveways and parking areas, but that is to be determined.

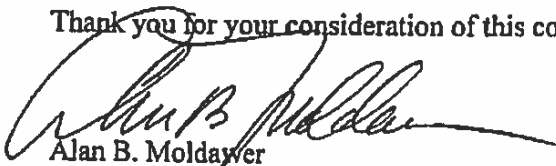
Height Restriction Is Likely Exceeded

Also, in an apparent effort to be able to see over the Harris' dwelling units located south of the new house, the builder built a very high foundation and artificially raised the grade surrounding the foundation. While it is difficult to know without trespassing upon the property, the Building Height of the house appears to exceed the 35 feet "Building Height" limit as defined in the Ordinance. The "Building Height" is the vertical distance from the highest point of the structure to the average finished grade or to the average original grade around the foundation, whichever is greater. Since the original grade, seen in the attached photos at the level of the private road with telephone poles and the architectural well feature, is well below the new, raised finished grade, the Building Height was required to be measured from the highest point of the house to the average of the original grade, not the finished grade. The Building Height measured from the top of the house to average original grade appears to be well more than 35 feet. It also is another reason not to grant a variance or exception to the owners to extend the proposed deck over the setback lines from their relocated roadway running up against the foundation.

I do not know the True family and hope not to create animosities in the small settlement here known as Marlboro. However, the structure they are building shows little concern for their neighbors or the neighborhood, and the Town, going forward, should examine what it has done in apparent disregard for the letter and spirit of the Lamoine Zoning Ordinance, or, in the alternative, to consider changes to the Ordinance to prevent a repeat of the mistakes made here. I am not alone among those in Marlboro who have expressed concerns about this new construction. Better means of notice to surrounding property owners needs to be given before permits are issued on non-conforming lots or that involve non-conforming structures.

As always, I appreciate the courtesy and time the Code Enforcement Officer took to share with me the Town's permit file for Lot 48 and discuss my concerns.

Thank you for your consideration of this complaint.



Alan B. Moldaver
15 Brown Lane
Lamoine, Maine 04605

MEMO FROM CODE ENFORCEMENT

Rebecca Albright, Code Enforcement Officer

March 20, 2019

RE: concerns about Kathryn & Tom True's new construction

Map 16 Lot 48-1

On March 13th, 2019, Planning Board Chair Holt and I went to the True construction site and measured the height of the building. (see enclosed memo). The maximum height allowed is 35'. We averaged the total height to be 34.5'.

The 4 siblings who own the 1.8 acre parcel (abovementioned) have classified their lot as a "condominium" in 2017. The property, by deed, did not physically change in any way. The condominium re-classification is essentially an agreement between the siblings with regard to responsibilities.

Therefore, in my opinion, the "grandfathered" status both the non-conforming property and structure continue to apply.

The True's were able to situate their home in such a way that ALL set-backs have been met, rendering them able to build a larger structure. Had they NOT re-situated their house, they would have been restricted to a total 30% expansion.

The lot in question is just under 2 acres total. The Town's Building and Land Use Ordinance requires that NO lot may be covered by more than 25% (including parking and driveways as well as house "foot print"). 25% of the lot in question is almost 1/2 an acre. I am not concerned that the joint owners of this parcel of land have exceeded that.

I was never called for a foundation inspection for this project. It is much more difficult to assess the original grade after its disturbance. The ordinance defines "Building Height" as "The vertical distance between the highest point of the structure and the average final grade around the foundation, or the average grade of the original ground adjoining the building, whichever is greater."

If there is a concern that the grade changed significantly as to raise the building higher than its original grade I would ask that a surveyor or other such professional be brought in at the owner's expense to verify this ultimately.



Average Daily Traffic (ADT): The number of vehicles per day that enter and exit the premises or travel over a specific

Base Flood: The flood with a 1 percent chance of being equaled or exceeded in any given year, commonly called the 100-year flood.

Basement: Any area of a building whose floor subgrade (below ground level) on all sides.

Bed and Breakfast: Any building where transient lodging or boarding and lodging are provided and offered to the public by the proprietor or owner for compensation for less than 30 days. This dwelling shall also be used for transient lodging; otherwise, it shall be classified as a hotel/motel. There shall be no provisions for individual guest room.

Boarding/Lodging Facility: A building or structure where lodging and/or meals are provided for compensation for a period of one week, and where a family residing in the building acts as proprietor or owner. Where a family residing in the building cannot be met, the building shall be classified as a boarding house. There shall be no provisions for cooking in any individual guest room.

Buffer zone: trees, hedges, fencing, or other vegetative barrier in keeping with the character of the natural surroundings which provides a visual and auditory screen between a structure or lot and another structure, lot, or street.

Building: Any 3 dimensional structure or enclosure by any building materials or any space for any use or occupancy, temporary or permanent, including but not limited to swimming pools, foundations or pilings in the ground and all parts of any kind of structure above ground including decks, railings, dormers, and stairs, and excluding sidewalks, fences, driveways, electrical transmission and distribution lines, and field or garden walls or embankment retaining walls.

Building Height: The vertical distance between the highest point of the structure and the average final grade around the foundation or the average grade of the original ground adjoining the building, whichever is greater.

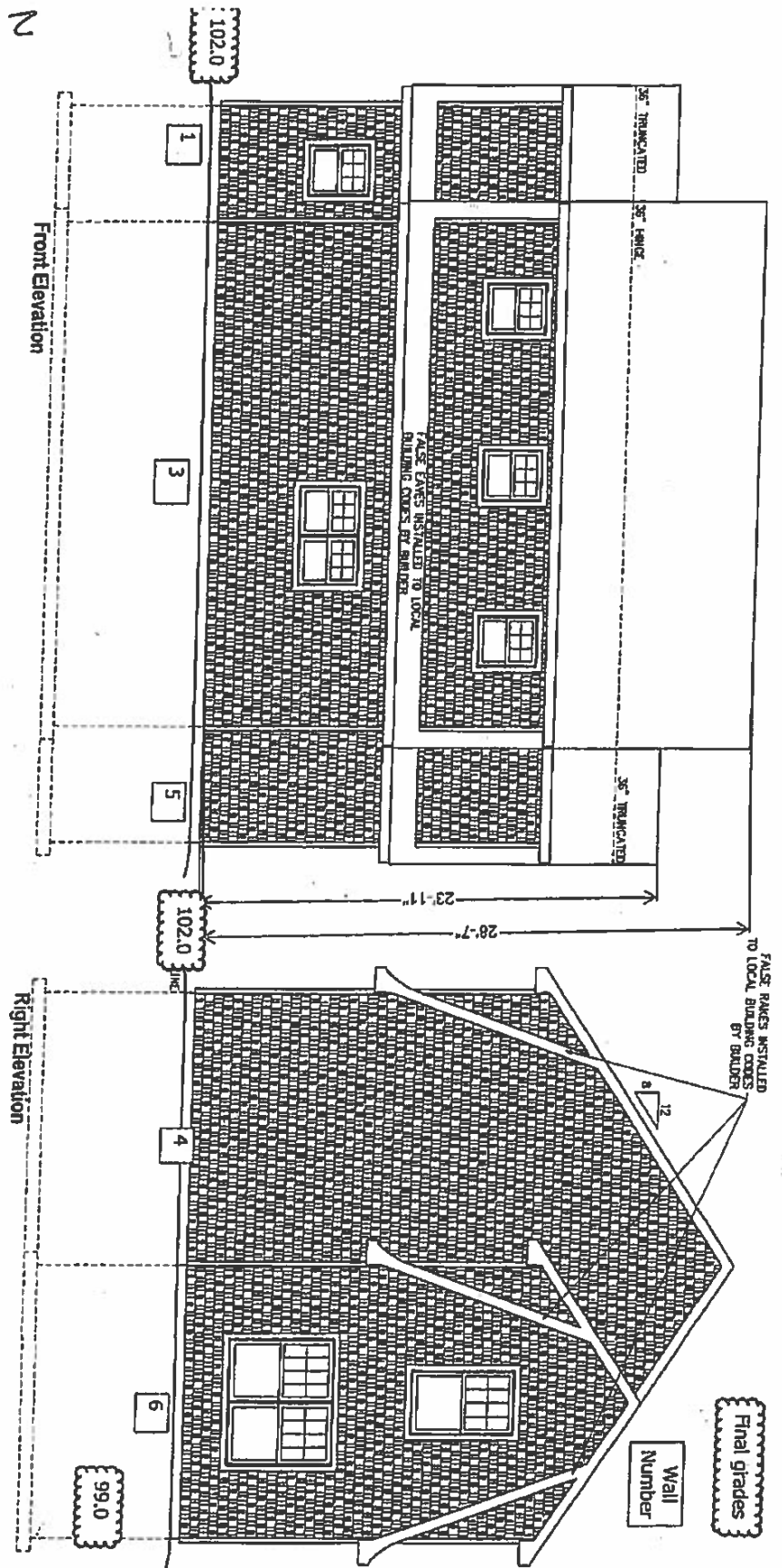
Business and Professional Offices: The place of business of doctors, lawyers, accountants, financial advisors, architects, surveyors, real estate and insurance businesses, psychiatrists, counselors, and the like or in which a business conducts its administrative, financial or clerical operations including banks and other financial services, but not retail sales nor activities utilizing trucks on site as part of the business operation.

Campground: Land upon which one or more tents are erected or trailers or other shelter are parked for temporary use for a fee or two or more sites on the same property arranged specifically for that purpose.

Cemetery: Property used for the interring of the dead.

Church, Synagogue and Mosque: A building or structure, or group of buildings or structures, designed, primarily intended and used for the conduct of religious services.

Club: Any voluntary association of persons organized for social, religious, benevolent, literary, scientific, or political purposes,; whose facilities, especially a clubhouse, are open to members and guests only and not the general public; and not engaged in activities customarily carried on by a



Building Height (from Lamotte ordinance): The vertical distance between the highest point of the structure and the average final grade around the foundation, or the average grade of the original ground adjoining the building, whichever is greater

True Residence by Coastal Builders

Note: Any drawings, concepts or designs created by Prestige Homes Inc. are the sole property of Prestige Homes Inc. and are not to be copied, reproduced, or used in any manner without the written permission of Prestige Homes Inc. Any attempt at utilizing a design, part of a design, or concept without express written permission is strictly prohibited.

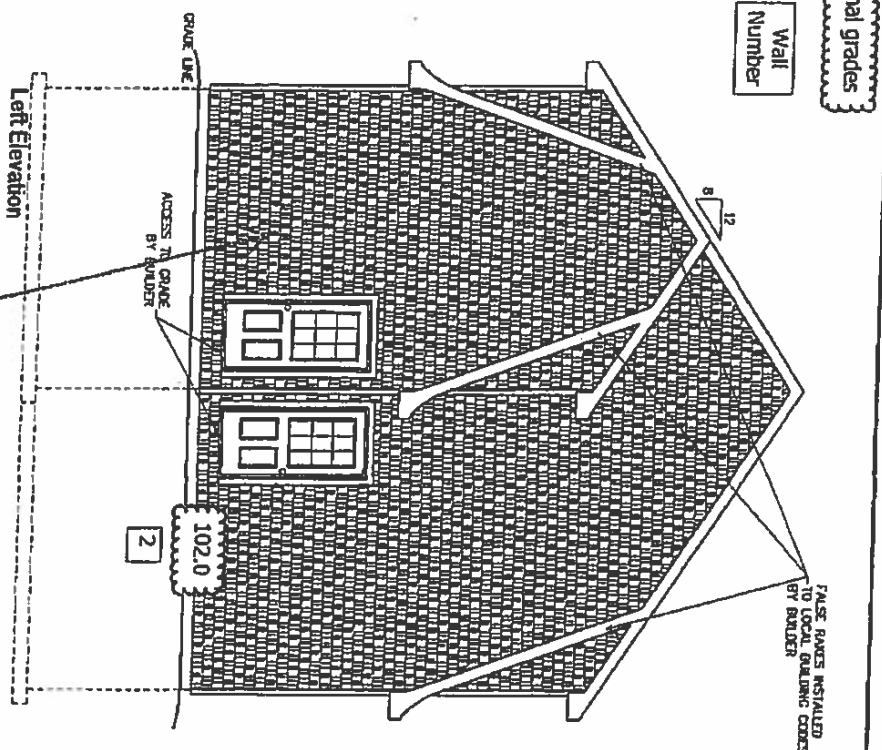
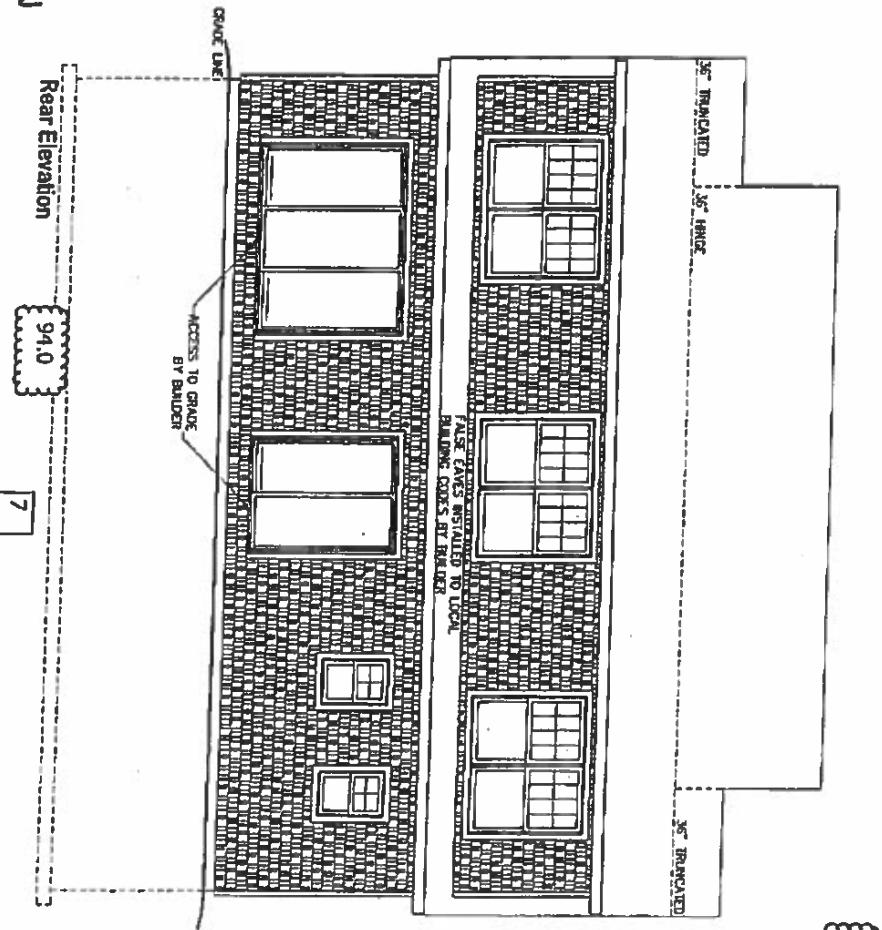
WALL SHAKE SHOOK & CORNER POSTS INSTALLED TO LOCAL BUILDING CODES BY BUILDER

18 INCHES BETWEEN TYPICAL FLOOR & BOTTOM OF GLASS EDGE
ALL 64" WINDOWS

Sheet No.	Drawn By ALK	prestige HOMES <i>We're built differently.</i>	Elevations ---A R13425A81F	Revision Date
Original Date	Nov 29/17			July 12/18
Scale	3/16"=1'-0"			Revised by ALK

Prestige Homes Inc.
18 Industrial Drive
Surrey, BC V4N 1Y1
Tel: 604-591-5911
Fax: (604) 591-5912

3 of 6



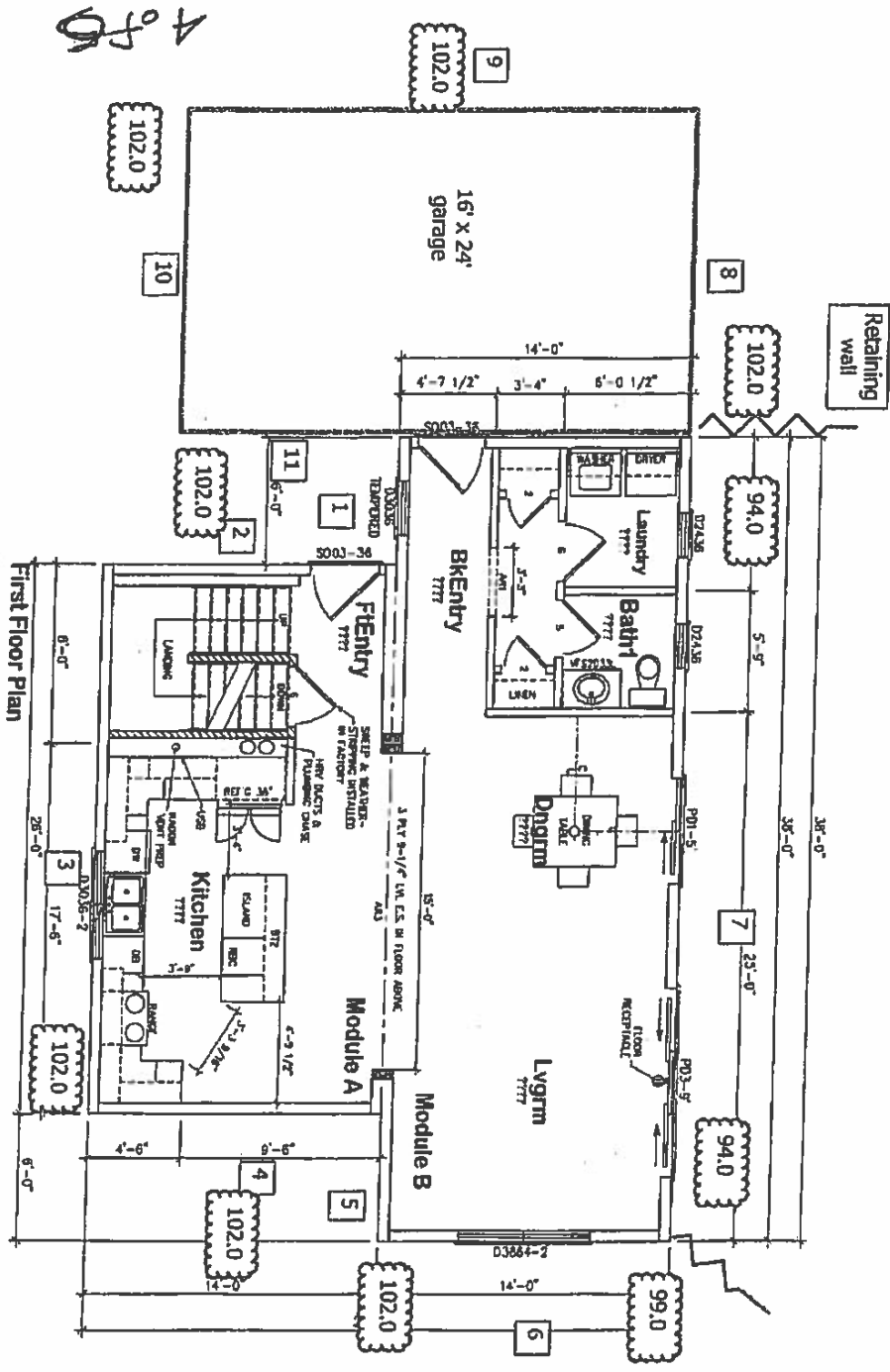
True Residence
by Coastal Builders

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WALL, SHANK SINKING & CORNER POSTS INSTALLED TO LOCAL BUILDING CODES BY BUILDER

WINDOW GLAZES BY BUILDER ON SITE
19 INCHES BETWEEN BOTTOM OF GLASS EDGE @ ALL 64" WINDOWS

Sheet No.	Drawn By ALK	prestige HOMES <i>We're built differently.</i>	Prestige Homes Inc. 14 Industrial Drive Surrey, BC V4N 1C4 Phone: (604) 533-5130 Fax: (604) 533-8141	Elevations —A R13425AB2F	Revision Date
	Original Date Nov 29/17				July 12/18
	Scale 3/16"=1'-0"				Revised by ALK



DOORS	BATHS
1 1'-6" SLAB	B11 26" FLAT B/TOP
2 2'-0" SLAB	B12 36" FLAT B/TOP
3 2'-0" B/TOP	B13 16" RAISED B/TOP
4 2'-4" SLAB	
5 2'-6" SLAB	
6 2'-8" SLAB	
7 2'-6" B/TOP	
8 3'-0" SLAB	

**True Residence
by Coastal Builders**

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MODULE	AREA	PERIMETER
A	77' x 41'	354' 0"
B	77' x 41'	354' 0"
C	36' x 41'	242' 0"
D	36' x 41'	242' 0"
TOTAL	680' x 41'	1172' 0"

PERIMETER/AREA OF MODULES	HALF WALLS/ARCHWAYS	KITCHEN CABINET DIMENSIONS
1/2" HALF WALL C/W DRINKS	1/2" HALF WALL C/W DRINKS	1/2" HALF WALL C/W DRINKS
24" HALF WALL C/W DRINKS	24" HALF WALL C/W DRINKS	24" HALF WALL C/W DRINKS
36" HALF WALL C/W DRINKS	36" HALF WALL C/W DRINKS	36" HALF WALL C/W DRINKS
48" HALF WALL C/W DRINKS	48" HALF WALL C/W DRINKS	48" HALF WALL C/W DRINKS
60" HALF WALL C/W DRINKS	60" HALF WALL C/W DRINKS	60" HALF WALL C/W DRINKS
72" HALF WALL C/W DRINKS	72" HALF WALL C/W DRINKS	72" HALF WALL C/W DRINKS
84" HALF WALL C/W DRINKS	84" HALF WALL C/W DRINKS	84" HALF WALL C/W DRINKS
96" HALF WALL C/W DRINKS	96" HALF WALL C/W DRINKS	96" HALF WALL C/W DRINKS
108" HALF WALL C/W DRINKS	108" HALF WALL C/W DRINKS	108" HALF WALL C/W DRINKS
120" HALF WALL C/W DRINKS	120" HALF WALL C/W DRINKS	120" HALF WALL C/W DRINKS
132" HALF WALL C/W DRINKS	132" HALF WALL C/W DRINKS	132" HALF WALL C/W DRINKS
144" HALF WALL C/W DRINKS	144" HALF WALL C/W DRINKS	144" HALF WALL C/W DRINKS
156" HALF WALL C/W DRINKS	156" HALF WALL C/W DRINKS	156" HALF WALL C/W DRINKS
168" HALF WALL C/W DRINKS	168" HALF WALL C/W DRINKS	168" HALF WALL C/W DRINKS
180" HALF WALL C/W DRINKS	180" HALF WALL C/W DRINKS	180" HALF WALL C/W DRINKS
192" HALF WALL C/W DRINKS	192" HALF WALL C/W DRINKS	192" HALF WALL C/W DRINKS
204" HALF WALL C/W DRINKS	204" HALF WALL C/W DRINKS	204" HALF WALL C/W DRINKS
216" HALF WALL C/W DRINKS	216" HALF WALL C/W DRINKS	216" HALF WALL C/W DRINKS
228" HALF WALL C/W DRINKS	228" HALF WALL C/W DRINKS	228" HALF WALL C/W DRINKS
240" HALF WALL C/W DRINKS	240" HALF WALL C/W DRINKS	240" HALF WALL C/W DRINKS
252" HALF WALL C/W DRINKS	252" HALF WALL C/W DRINKS	252" HALF WALL C/W DRINKS
264" HALF WALL C/W DRINKS	264" HALF WALL C/W DRINKS	264" HALF WALL C/W DRINKS
276" HALF WALL C/W DRINKS	276" HALF WALL C/W DRINKS	276" HALF WALL C/W DRINKS
288" HALF WALL C/W DRINKS	288" HALF WALL C/W DRINKS	288" HALF WALL C/W DRINKS
300" HALF WALL C/W DRINKS	300" HALF WALL C/W DRINKS	300" HALF WALL C/W DRINKS

Sheet No.	Drawn By: ALK		Prestige Homes Inc. 14 Industrial Drive Sussex, New Brunswick B4G 1A8 Phone: (506) 433-8130 Fax: (506) 433-8141	Floor Plan		Revision Date
Original Date	Nov 15/17			---	R13425AC11	July 12/18
Scale	3/16"=1'-0"					Revised by
					ALK	

FF elevation 103.2

Wall Number	Wall Length	Final grades			Weighted Average (Wall Length X Average Final Grade)
		High	Low	Average	
1	6	102	102	102	612
2	14	102	102	102	1,428
3	26	102	102	102	2,652
4	14	102	102	102	1,428
5	6	102	102	102	612
6	14	102	99	100.5	1,407
7	38	94	94	94	3,572
8	16	102	102	102	1,632
9	24	102	102	102	2,448
10	16	102	102	102	1,632
11	10	102	102	102	1,020
Perimeter (total wall length)	184				18,443

Average final grade at foundation =

100.2

Elevation of peak =

131.2

Building Height =

31.0

GRADE PLANE DETERMINATION WORKSHEET

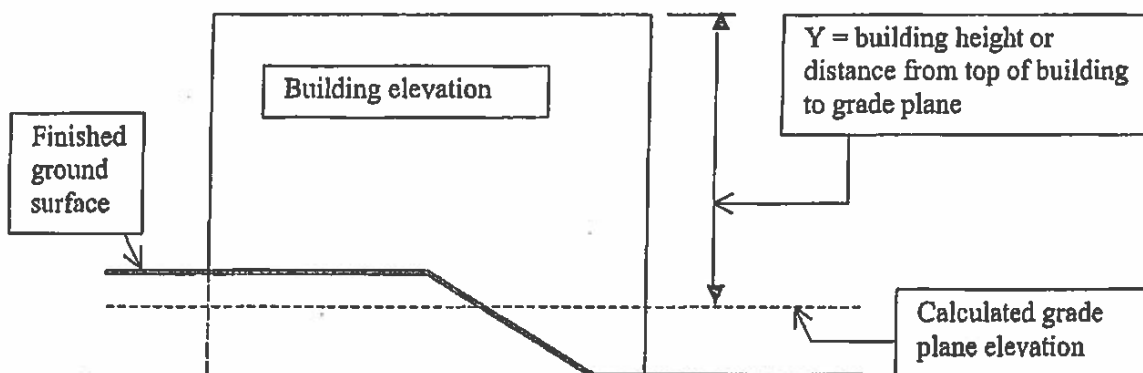
[illegible]

Total of all wall lengths (building perimeter) = _____ Feet

Total of all wall areas from above table = _____ Square feet

Building height Y = (Total wall area / Total wall length) = _____ Feet

Permitted building height from Table 503 including modifications to building height within section 504
= _____ Feet (This value must be equal to or greater than the value "Y" calculated above.)



Office of Code Enforcement
Rebecca Albright, CEO
606 Douglas Highway
Lamoine, ME 04605
(207) 667-2242

March 20, 2019

Kathryn and Tom True
4604 Windsor Drive
Flowery Branch, GA 30542

Dear Mr. & Mrs. True,

I just wanted to explain to you that you must file a currently valid 3 bedroom septic system plan with the Hancock County Registry of Deeds attached to the deed of your property in Lamoine.

State law requires that a back-up plan be in place in case the smaller (2 bedroom) system fails. You do NOT have to install the 3 bedroom system.

Also, it is a requirement of our Building and Land Use Ordinance that an inspection take place prior to the pouring of a foundation. This did not take place.

Please contact me about the status of your septic system design.


Rebecca Albright, CEO

Exhibit 8-A

OFFICE OF CODE ENFORCEMENT
REBECCA ALBRIGHT, CEO
606 DOUGLAS HIGHWAY
LAMOINE, ME 04605
(207) 667-2242

MARCH 20, 2019

DEAR MR. MOLDAWER,

I RECEIVED YOUR LETTER TODAY. I MADE A COPY OF IT
AND GAVE IT TO JOHN HOLT.

THANK YOU FOR SHARING YOUR CONCERNS WITH US.

A handwritten signature in black ink, appearing to read 'Rebecca Albright', with a stylized flourish at the end.

REBECCA ALBRIGHT, CEO

5/22/2019

Gmail - FW: True Property Original Grade



beck albright <lamoineceo@gmail.com>

FW: True Property Original Grade

2 messages

Town of Lamoine <town@lamoine-me.gov>
Reply-To: town@lamoine-me.gov
To: ceo@lamoine-me.gov

Fri, Mar 22, 2019 at 4:49 PM

I have forwarded a message from Alan Moldawer to your e-mail addresses.
Stu

-----Original Message-----

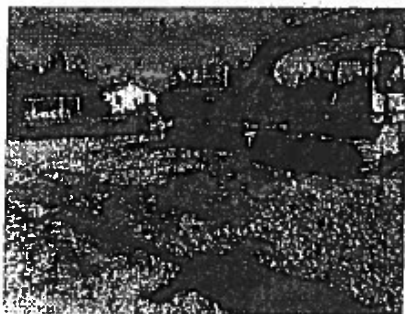
From: Alan Moldawer [mailto:alan.moldawer@icloud.com]
Sent: Friday, March 22, 2019 8:10 AM
To: town@lamoine-me.gov
Subject: True Property Original Grade

These photos taken after Candy Cottage was razed in August, show original grade to be level of driveway to shore and same as architectural well feature seen to the left, both of which appear in pictures previously shown Town after house erected. The average Building Height from top to original grade (which is greater than finished grade around raised foundation), almost certainly exceeds 35 feet, and not by just a little. This complaint is timely as they just put it up and it's obvious it was done intentionally. It is perhaps the most offensive aspect of the structure. Before work continues, they need to lower it. And the Town needs to enforce its Ordinance.

4 attachments



IMG_5100.jpg
140K



IMG_5101.jpg
142K

↓ declaration
of complaint
by Alan Moldawer

exhibit
#10

Untitled attachment 00663.txt
1K

Untitled attachment 00666.txt
1K

beck albright <lamoineceo@gmail.com>
To: Lamoine Town Office <town@lamoine-me.gov>

Mon, Mar 25, 2019 at 3:07 PM

<https://mail.google.com/mail/u/0/?ik=79002e9944&view=pt&search=all&permthid=thread-f%3A1628740263207528239&siml=msg-f%3A16287402632...> 1/2

R-085

5/22/20
Cc:

[Quoted text hidden]

2026
5/23/19

Re: New structure on Marlboro Beach Rd

From: beck albright (lamoineceo@gmail.com)

To: ra0094@yahoo.com

Date: Tuesday, March 26, 2019, 8:41 PM EDT

Hi Richard, thanks for thanking me. Rebecca

On Tue, Mar 26, 2019, 4:20 PM Richard Arnold <ra0094@yahoo.com> wrote:

Thank you again for your thoughtful and considered response.

Rich Arnold

On Tuesday, March 26, 2019, 2:45:22 PM EDT, beck albright <lamoineceo@gmail.com> wrote:

Hi, Rich, I have thoroughly investigated the septic issue. I have just informed Mr. True, via phone call today that he must have an updated system designed as the original one was for 2 bedrooms. He is in the process of doing this and then state protocol for these situations will ensue, which involves filing a copy of said updated system with the Hancock County registry of Deeds. Thanks, Rebecca

On Tue, Mar 26, 2019 at 2:09 PM Richard Arnold <ra0094@yahoo.com> wrote:

Dear Ms. Albright,

Thank you for your update.

As I stated in my first email, I am a live and let live kind of guy. There have been other "remodeling" done in the area where the owners "colored outside the lines" a bit but in the end the new structures fit within the other all neighborhood and I said nothing. But this structure goes beyond anything that our other neighbors would have dared to even contemplate and that is why I raised this concern with you.

There is one other issue that I think is worth mentioning. I believe the new structure added a septic tank but did not expand the drainage field. I am not trying to question ability of the individual that reviewed the septic plan but it seems to me that to go from a very small cottage that was occupied just a few weeks a year to a very large home that could be a year round abode would require an expansion of the drainage field. The new septic tank and old drainage field is right along my property line. I am very worried that there might be runoff from their septic system and my property could be adversely impacted.

I look forward to hearing your considered opinion on both the height and septic issues of this new structure.

Kind regards,

Rich Arnold

On Tuesday, March 26, 2019, 1:22:17 PM EDT, beck albright <lamoineceo@gmail.com> wrote:

Dear Mr. Arnold, thank you for your email. I am looking in to the matter. I have been to the site and taken measurements. Approximately five feet of fill has been brought in to the site. I will keep you posted. Sincerely, Rebecca Albright, CEO

3 of 6
5/23/19

On Mon, Mar 25, 2019 at 7:57 AM Town of Lamoine <town@lamoine-me.gov> wrote:

From: Richard Arnold [<mailto:ra0094@yahoo.com>]

Sent: Saturday, March 23, 2019 10:28 AM

To: town@lamoine-me.gov

Subject: New structure on Marlboro Beach Rd

I would like to raise a concern regarding the new structure that has been put up where the Candy Collage use to be on Marlboro Beach Rd. It is my understanding that an new structure can only be 35 feet above the original grade of the previous structure. The owner and the contractor clearly are ignoring that restriction. They have built a basement that raises the level of the new structure 6 to 8 feet above the original grade and then they have put a large two story structure on top of that.

As people drive along Marlboro Beach Rd they always have a clear view of Mt Desert Island and Frenchman Bay. It is one of the defining elements of this neighborhood. This new structure is the first one that spoils the aspect of the neighborhood. I understand that the owner wants to have a clear view over their siblings property just in front of theirs but that could have been achieved while still abiding by the zoning restrictions.

I am normally a "live and let live" kind of guy but this is such a flagrant disregard of the letter and spirit of the zoning regulations that something had to be said.

Does the town have the ability to halt the construction until the height can be reviewed?

Thank you for your time,

Rich Arnold

102 Marlboro Beach Rd

Tom & Kathy True
4606 Windsor Drive
Flowery Branch, GA 30542
603-714-5668
Tnt1pe@gmail.com or kathryntrue@gmail.com

Tuesday, March 26, 2019

Rebecca Albright, CEO
Town of Lamoine
606 Douglas Highway
Lamoine, ME 04605

Re: 114 Marlboro Beach Road

Dear Rebecca:

Thank you for your time this morning to discuss the items mentioned in your letter of March 20, 2019. Prior to my call, we did not realize that you also had questions about the building height. We have summarized our understanding of each item below.

Building Height

Although this has been discussed numerous times in the past, today is the first time it has been mentioned as a potential issue. Fortunately, since our call we have revisited the plans & determined that our building height is compliant regardless how Article III, page 56 is interpreted.

Septic system

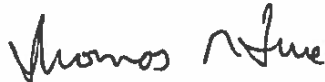
We are awaiting your response relative to the recording requirements. It is our understanding that you have asked us to record a septic system design that shows at least 3 bedrooms but it would not need to be constructed unless and until the current system failed.

Foundation inspection

Based on several conversations with you, it was our understanding that no inspections were needed until plumbing. However despite the additional time and expense, we hired Herrick & Salsbury to stakeout: 1) The hole for excavation, 2) the footings & then 3) the actual footings to make sure that everything was in compliance with the setbacks.

Please contact us if you have additional questions.

Sincerely,



approx. 5' of fill brought in

~~driving outdoor application~~
6/25/2017



BOOK 4510
PAGE 169

$$1 \text{ acre} = 43,560 \text{ sq'}$$

$$1.7 \text{ acre} = 74,052 \text{ sq'}$$

$$1.7 \text{ acre} = 74,052 \text{ sq'}$$

$$25\% \text{ of } 74,052 \text{ sq'} = 18,513 \text{ sq'}$$

18,513 sq' TOTAL allowed
for all house "footprints" and
driveways/parking lots

$$18,513 \text{ sq'} = \approx .43 \text{ acre}$$

almost $\frac{1}{2}$ acre

Conclusion - Lot 16 MAP 48
is not in excess
of the required
25% total lot coverage
allowed

Exhibit 15 A

$$\begin{array}{r} 38' 8'' \\ - 31' 2.5'' \\ \hline 7' 5.5'' \end{array}$$

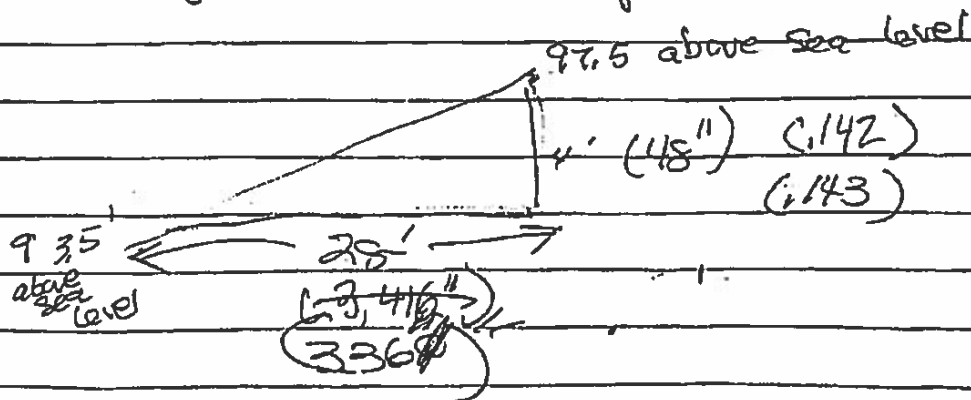
Johri's calculations
from lowest grade to
highest grade
7' 5 1/2" difference

Actual
Building Height = 28' 10"

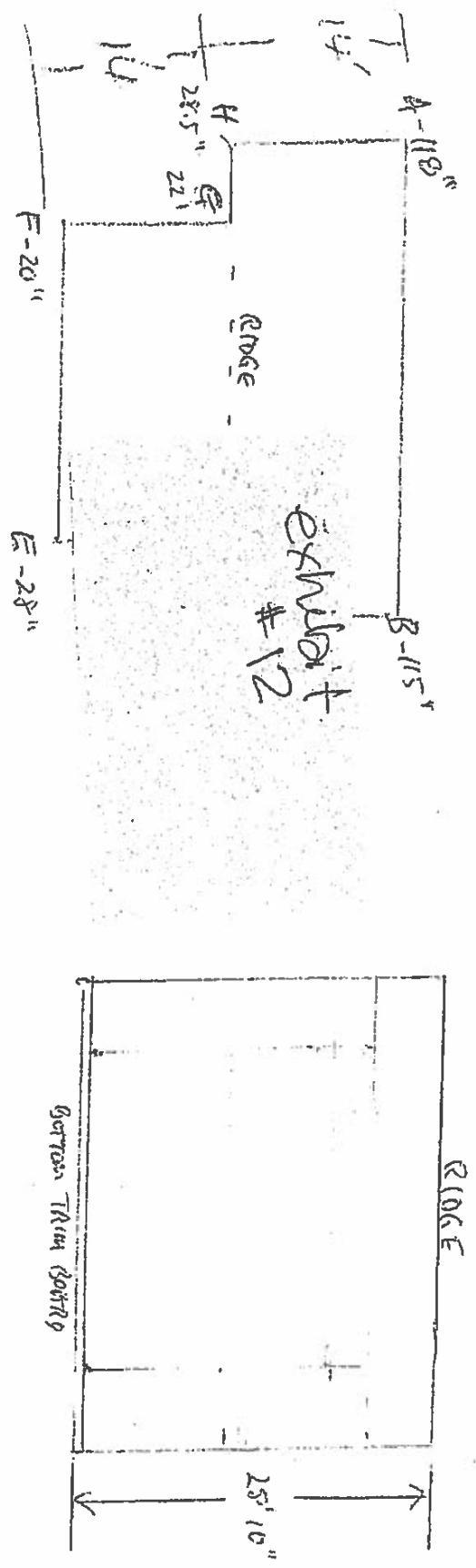
$$\begin{array}{r} 35' \\ - 28' 10'' \\ \hline 6' 2'' \end{array} \rightarrow \text{left over from allowed maximum height}$$

building on slope spans from
94' \rightarrow 102', and 8 foot differential
covering a 28' distance
average a 3.5' elevation change
per foot.

ave: height of building is 34' 9"



TRUE - 3/27/2019

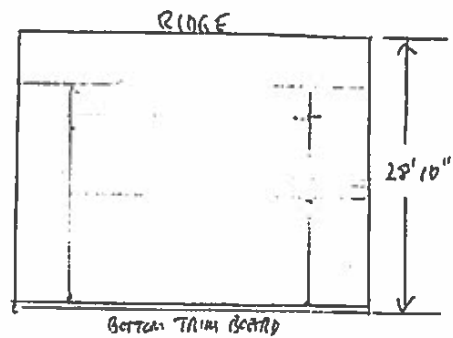
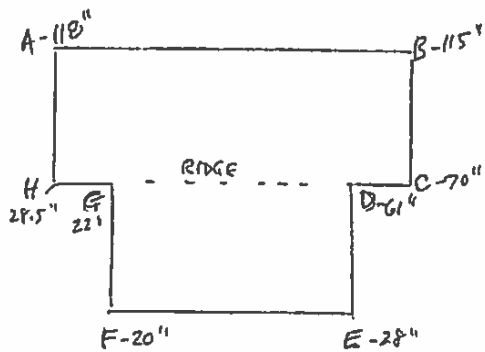


DISTANCE FROM RIDGE TO
ROCKA FIGHT GARDEN as of 3/27/2019

- A - 35' 8"
- B - 38' 3"
- C - 34' 8"
- D - 33' 11"
- E - 31' 2"
- F - 30' 10"
- G - 30' 8"
- H - 31' 2 1/2"

A & F are - 35' 9"

TRUE - 3/27/2019



DISTANCE FROM RIDGE TO
ROUGH FINISH GABLE as of 3/27/2019

A - 35' 8"
B - 38' 3"
C - 34' 8"
D - 33' 11"
E - 31' 2"
F - 30' 10"
G - 30' 8"
H - 31' 2 1/2"

A & F REF - 34' 9"

Office of Code Enforcement
Rebecca Albright, CEO
606 Douglas Highway
Lamoine, ME 04605
(207) 667-2242
April 2, 2019

RE: Kathryn True/ Building Height

Lot 16 Lot 48-1

To whom it may concern:

I have inspected and measured the recent (abovementioned) construction on Lupine Lane, Marlboro twice recently.

The construction is a two story modular that has a walk-out basement. This project is on a slope and has involved bringing in a great deal of fill. It appears quite tall and imposing. I had to make sure that this structure did NOT violate the Town's 35' height requirement.

The actual height of the new building is 28' 10" from the bottom of the first floor trim board to the top most point of the roof ridge. In other words, if the building was sitting on flat ground (w/o basement), it would be 28' 10" high.

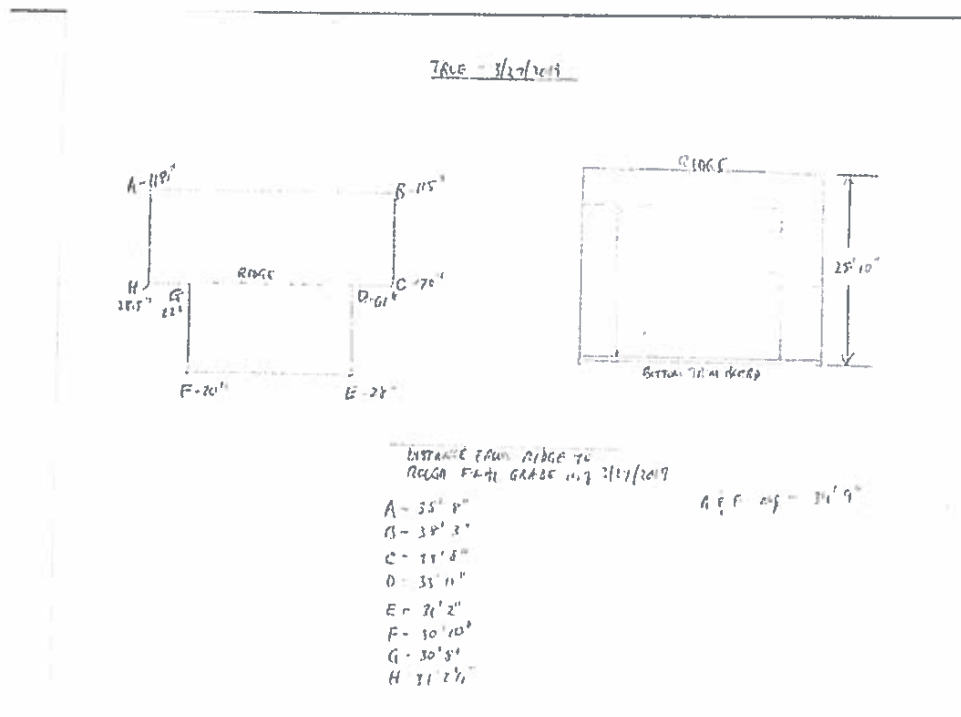
35 feet - 28' 10" leaves 6' 2" of height which remains to be utilized in the project.

The grade of the project varies from 97.5' above sea level to 93.5' above sea level. The grade is on a southern slope, sloping down toward Frenchman's bay. This is a 4 foot differential which spans the width of the house (which is 28'). I have divided the 28 feet of house width in to the 4 foot grade differential and find that (28 divided by 4=7) On average, for every seven feet of vertical distance there is a one foot horizontal grade drop.

The tallest distance from the grade to the roof peak is in the front (south side). This measurement is 38' 8" from ground to the peak of the new house.

The shortest distance from grade to the roof peak is in the back or north side of the building. This is a 30' 9" distance.

The average final grade from back to front of the building is 34' 9"



It is therefore my opinion that the True house is not in violation of the Lamoine Building and Land Use ordinance

Respectfully Submitted,

Rebecca Albright, CEO

Office of Code Enforcement
Rebecca Albright, CEO
606 Douglas Highway
Lamoine, ME 04605
(207) 667-3310

April 3, 2019

Alan Moldower
15 Brown Lane
Lamoine, ME 04605

exhibit
#14

Dear Alan,

I am writing to tell you that I (with assistance), got over to the True house last week and spent some time measuring. Enclosed please find work sketch.

I appreciate your concern about the height of the building.

The "bottom Line" is that the structure measures 28' 10". Thus leaving 6' 2" of additional height.

However, as you know, the building site is on a downhill grade. The grade of the project starts at 97.5' above sea level and drops to 93.5' above sea level. I got these figures from a survey done by Herrick & Salisbury. The building is 28 wide thus rendering a 28:4 or 7:1 original grade slope.

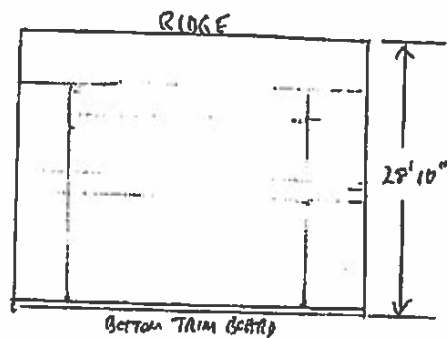
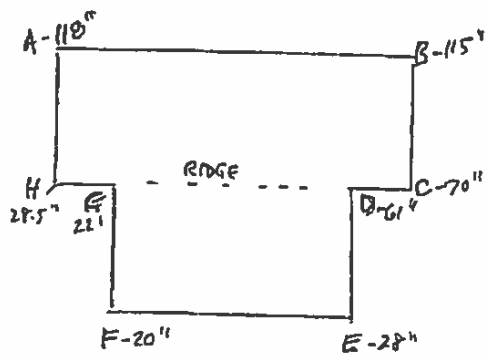
Obviously, the fill is quite deep in some areas (near the new driveway especially), and much shallower in others. The alphabet letters refer to the amount of fill at each corner. I come up with an average height for the building of about 33' 9".

I just wanted to let you know that I have made this determination and based on your concerns, I am mailing it to you right now.

Sincerely,

Rebecca Albright, CEO

TRUE - 3/27/2019



DISTANCE FROM RIDGE TO
ROUGA FINAL GRADE as of 3/27/2019

A - 35' 8"
B - 38' 3"
C - 24' 8"
D - 33' 11"
E - 31' 2"
F - 30' 10"
G - 30' 8"
H - 31' 2 1/2"

A & F 4" - 34' 9"